

NINETY-THIRD DAY

(Thursday, June 19, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. R. Emmett Morse of Harris County.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gilmer
Allen	Goodman
Allison	Halsey
Alsup	Hanna
Avant	Hardeman
Bailey	Hargis
Baker	Harris of Dallas
Bean	Harris of Hill
Bell	Hartzog
Benton	Helpinstill
Boone	Henderson
Brawner	Hileman
Bridgers	Hobbs
Brown	Howard
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Celaya	Jones
Chambers	Kelly
Clark	Kersey
Cleveland	Kinard
Coker	King
Colson, Mrs.	Klingeman
Connelly	Knight
Craig	Lansberry
Crossley	Lehman
Crosthwait	Leyendecker
Daniel	Little
Davis	Lock
Deen	Love
Dickson of Bexar	Lowry
Donald	Lucas
Dove	McAlister
Duckett	McDonald
Dwyer	McGlasson
Ellis	McLellan
Eubank	McMurry
Evans	McNamara
Favors	Manford
Ferguson	Manning
Files	Markle
Fitzgerald	Martin
Fuchs	Matthews
Gandy	Montgomery
Garland	Moore

Morgan	Shell
Morris	Simpson
Morse	Skiles
Murray	Smith of Bastrop
Pace	Smith of Atascosa
Parker	Spacek
Pevehouse	Stanford
Phillips	Stinson
Price	Taylor
Rampy	Thornton
Reed of Bowie	Turner
Reed of Dallas	Voigt
Ridgeway	Walters
Rhodes	Wattner
Roberts	Weatherford
Sallas	White
Senterfitt	Whitesides
Sharpe	Winfree

Absent

Blankenship	Roark
Dickson of Nolan	Vale

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

A quorum was announced present.

Prayer was offered by Rev. John E. Roach of Kaufman County, a former Member of the House, as follows:

"Our gracious Heavenly Father, we thank Thee for Thy great mercies and Thy loving kindness. Let Thy benevolence continue, and may Thy goodness continue to guide us. Be Thou with us in the discharge of the day, and let Thy blessings be upon Thy servants, the Members of this House—and graciously lead on in affairs of our great State and Nation. We pray in Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Kennedy for today and the balance of the week, on account of important State business, on motion of Mr. Knight.

Mr. Bray for today and the balance of the week, on account of im-

portant State business, on motion of Mr. Hartzog.

Mr. Mills for today and the balance of the week, on motion of Mr. Brawner.

Mr. Lyle for today, on motion of Mr. Lansberry.

Mr. Stubbs for today, on motion of Mr. Hardeman.

Mr. Spangler for today, on motion of Mr. Smith of Atascosa.

Mr. McCann for today, on motion of Mr. Senterfitt.

Mr. Manning for this afternoon, on motion of Mr. Alsup.

Mr. Crosthwait for this afternoon and the balance of the week, on motion of Mr. Helpinstill.

COMMUNICATION

The Chair laid before the House and had read the following communication:

St. Mary's Hospital,
Port Arthur, Texas,
June 18, 1941.

Mr. E. R. Lindley, Chief Clerk, House of Representatives, Capitol Station, Austin, Texas.

Dear Mr. Lindley: Receipt is acknowledged of a valued resolution which takes notice of my physical difficulties.

To each Member of the House, I want to convey my sincere appreciation for the friendship and sentiments upon which the resolution is predicated.

My confinement here, has not been without its reward, for I find it a relief to be removed from the disturbing presence of Messrs. Fred Harris, Phillips and Carlton.

With my best wishes to each and all, I beg to remain,

Respectfully yours,
C. E. NICHOLSON.

MOTIONS TO INTRODUCE CERTAIN BILLS

Mr. Deen moved to introduce the following bill:

By Mr. Deen:

H. B. No.—, A bill to be entitled "An Act declaring the floods of Floyd County to be a public calamity; authorizing an adoption and grant to Floyd County of one-half of the State ad valorem taxes collected in Floyd County for any purpose permitted by and not inconsistent with the Constitution, including the repairs and improvements for bridges, culverts, public roads, and terracing farms; specifying the reports thereon to be made by the Assessor and Collector of Taxes; providing that if any provision of this Act shall be held invalid the other provisions shall not be affected; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—88

Allison	Hargis
Alsup	Hartzog
Avant	Helpinstill
Baker	Hobbs
Bean	Howard
Bell	Hoyo
Benton	Huddleston
Blankenship	Hughes
Boone	Humphrey
Bridgers	Hutchinson
Brown	Kelly
Bruhl	Kersey
Bullock	Kinard
Bundy	King
Carrington	Knight
Cato	Leyendecker
Celaya	Little
Chambers	Lock
Coker	Love
Colson, Mrs.	Lowry
Connelly	Lucas
Daniel	McDonald
Davis	McGlasson
Deen	McLellan
Donald	McMurry
Dove	Manning
Duckett	Martin
Dwyer	Matthews
Eubank	Montgomery
Evans	Morse
Favors	Pace
Fitzgerald	Pevehouse
Fuchs	Phillips
Goodman	Price
Halsey	Rampy
Hardeman	Reed of Bowie

Reed of Dallas	Smith of Atascosa
Rhodes	Spacek
Roark	Stanford
Roberts	Taylor
Senterfitt	Turner
Simpson	White
Skiles	Whitesides
Smith of Bastrop	Winfree

Nays—31

Allen	Lehman
Brawner	McAlister
Burkett	McNamara
Carlton	Markle
Craig	Moore
Crossley	Morgan
Crosthwait	Morris
Ellis	Parker
Gandy	Ridgeway
Garland	Stinson
Hanna	Thornton
Harris of Hill	Voigt
Hileman	Walters
Howington	Wattner
Huffman	Weatherford
Lansberry	

Absent

Bailey	Henderson
Burnaman	Isaacks
Clark	Jones
Cleveland	Klingeman
Dickson of Bexar	Manford
Dickson of Nolan	Murray
Ferguson	Sallas
Files	Sharpe
Gilmer	Shell
Harris of Dallas	Vale

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

Mr. McMurry moved to introduce the following bill:

By Mr. McMurry:

H. B. No.—, A bill to be entitled "An Act to aid Archer and Clay Counties, in laying out, constructing and reconstructing, public roads and highways and bridges in the various commissioners' precincts of said counties, to aid in projects sponsored by said counties, in cooperation with Federal Works Progress Administra-

tion or its successors, and for general relief and rehabilitation purposes; authorizing the Commissioners' Courts of said counties to issue short term bonds, limiting the amount thereof and the interest to be paid thereon; providing a penalty for misappropriation of moneys donated; defining certain conditions within said counties to constitute a public calamity and declaring an emergency; providing that if any section, subsection, paragraph, clause, sentence, or word of this Act or the application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining provisions of this Act, the Legislature declaring that it would have passed such remaining portions, despite any partial invalidity; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—61

Alsup	Huddleston
Baker	Humphrey
Bean	Hutchinson
Benton	Isaacks
Blankenship	Kersey
Boone	Knight
Brown	Lock
Burnaman	Lowry
Carrington	Lucas
Cato	McDonald
Chambers	McLellan
Colson, Mrs.	McMurry
Connelly	Manning
Daniel	Martin
Deen	Montgomery
Donald	Murray
Dove	Parker
Duckett	Pevehouse
Dwyer	Phillips
Eubank	Rampy
Favors	Rhodes
Fitzgerald	Roberts
Fuchs	Sallas
Goodman	Senterfitt
Hardeman	Spacek
Hargis	Taylor
Hartzog	Turner
Helpinstill	White
Hobbs	Whitesides
Howard	Winfree
Hoyo	

Nays—42

Allen	Allison
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Bailey	Lehman
Brawner	Love
Bruhl	McAlister
Burkett	McNamara
Carlton	Matthews
Coker	Morgan
Craig	Morris
Crossley	Pace
Crosthwaite	Price
Davis	Reed of Bowie
Ellis	Reed of Dallas
Garland	Ridgeway
Hanna	Simpson
Harris of Dallas	Smith of Atascosa
Hileman	Stinson
Howington	Thornton
Huffman	Voigt
Hughes	Walters
Klingeman	Wattner
Lansberry	Weatherford

Absent

Avant	Jones
Bell	Kelly
Bridgers	Kinard
Bullock	King
Bundy	Leyendecker
Celaya	Little
Clark	McGlasson
Cleveland	Manford
Dickson of Bexar	Markle
Dickson of Nolan	Moore
Evans	Morse
Ferguson	Roark
Files	Sharpe
Gandy	Shell
Gilmer	Skiles
Halsey	Smith of Bastrop
Harris of Hill	Stanford
Henderson	Vale

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

(Pending consideration of the motion, Mr. Taylor occupied the Chair temporarily.)

(Mr. Morse in the Chair.)

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 998

Mr. Morgan offered the following resolution:

H. C. R. No. 251, Authorizing cer-

tain corrections in House Bill No. 998.

Whereas, House Bill No. 998 having passed the House and the Senate and was signed by the Speaker of the House and the Chief Clerk of the House; and

Whereas, Section one of said Bill shows a population bracket of one thousand and four hundred eighty (1,480) or less; now, therefore,

Be it resolved, By the House, the Senate concurring, That the action of the Speaker and the Chief Clerk in the signing of House Bill No. 998 be declared null and void, and the Speaker of the House and the Chief Clerk erase their names from the enrolled bill; and

Be it further resolved, That the Enrolling Clerk be authorized and instructed to make corrections in Section One to read, "City or town in which said city has a population of sixteen hundred (1600) or less according to the last preceding Federal Census."

The resolution was read second time and was adopted.

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 272

Mr. McDonald offered the following resolution:

H. C. R. No. 252, Authorizing certain corrections in House Bill No. 272.

Whereas, The Agricultural and Mechanical College Division of the Conference Committee Report on House Bill No. 272, which report has already been adopted by the House of Representatives and the Senate, contains certain typographical errors; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be authorized and instructed to change the appropriation for the Summer School, listed under item 478 on page 16 of the Supplement to House Journal, from \$55,000 to \$20,000 for each year, and to insert after Item 478 a new item to be known as 478a to read as follows:

"478a. Aeronautical Engineering, General Maintenance, including sup-

plies, material, salaries, labor, equipment, traveling and contingent expenses, \$35,000.00 each year."

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 188, A bill to be entitled "An Act amending Article 198 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of the Forty-sixth Legislature, 1939, page 148, Section 1, relating to and designating the Supreme Judicial Districts of the State of Texas, etc.; and declaring an emergency."

H. B. No. 1084, A bill to be entitled "An Act to amend Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, as amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, so as to change Section 3 of said Chapter 63 so that the same may hereafter provide in addition to its other provisions, that the Board of Directors of the Lower Neches Valley Authority shall consist of nine instead of seven members, etc.; and declaring an emergency." (With amendments.)

H. B. No. 1085, A bill to be entitled "An Act creating a Consolidated Road District No. 3 of Tyler County, Texas, under authority of Article 3, Section 52 of the Constitution of Texas, for the purpose of fully and fairly compensating original Road Districts Nos. 3 and 4 of said County in amounts equal to the respective amounts of road bonds outstanding against such included road districts respectively, etc.; and declaring an emergency."

H. B. No. 570, A bill to be entitled "An Act appropriating for the fiscal year 1940-41 all moneys accruing to the Highway Light Test Fund in accordance with existing law, etc.; and declaring an emergency."

H. B. No. 678, A bill to be entitled "An Act requiring the Comptroller

of Public Accounts to collect all State occupation taxes levied by Article 7047, Revised Civil Statutes of Texas of 1925, etc.; and declaring an emergency."

H. B. No. 739, A bill to be entitled "An Act authorizing and directing the Attorney General of Texas to make such investigation and to institute and prosecute such legal proceedings or suits, or take such other action as he deems proper to protect the interest of the State of Texas in and to the waters of the Pecos River, etc.; and declaring an emergency."

H. B. No. 845, A bill to be entitled "An Act to amend Article 2465, Revised Civil Statutes of 1925, as amended by Acts of the Forty-first Legislature, Regular Session, 1929, Chapter 17, page 46, Section 1, as amended by Acts of the Forty-first Legislature, Second Called Session, etc.; and declaring an emergency." (With amendments.)

H. B. No. 848, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor prior to January 1, 1941, etc.; and declaring an emergency."

The Senate has adopted the Conference Committee report on Senate Bill No. 402 by viva voce vote.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 831.

The following have been appointed on the part of the Senate:

Senators Martin, Moffett, Stone, Vick, Lovelady.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 703.

The following have been appointed on the part of the Senate:

Senators Winfield, Shivers, Moore, Wehnert, Ramsey.

The Senate has granted the request of the House for a conference committee to adjust the differences

between the two Houses on House Bill No. 796.

The following have been appointed on the part of the Senate:

Senators Moffett, Martin, Chadick, Smith, Beck.

Adopted

S. C. R. No. 81, Sine die adjournment June 21, 1941.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 1084 WITH SENATE AMENDMENTS

Mr. Kinard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1084, A bill to be entitled "An Act to amend Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, as amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, so as to change Section 3 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors of the Lower Neches Valley Authority shall consist of nine instead of seven members, all of whom shall be freehold property tax payers and legal voters of the State of Texas, and providing that such nine directors shall be appointed by the State Board of Water Engineers, three members thereof to be appointed for a term of two years, three members thereof to be appointed for a term of four years and three members thereof to be appointed for a term of six years, etc.; and declaring an emergency."

Mr. Kinard moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Chair announced the appointment of the following Conference Committee on House Bill No. 1084:

Messrs. Lock, Burnaman, Hargis, Coker and Kinard.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 29

Mr. Chambers submitted the following Conference Committee report on House Bill No. 29:

Austin, Texas, June 19, 1941.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on House Bill No. 29, have met and beg leave to recommend that House Bill No. 29 be passed in the form hereto attached.

Respectfully submitted,

SULAK,
FORMBY,
CHADICK,
METCALFE,
MOFFETT,

On the part of the Senate.

FUCHS,
CHAMBERS,
DONALD,
CARRINGTON,
HOYO,

On the part of the House.

By Mr. Fuchs and Mr. Chambers:

H. B. No. 29,

A BILL

To Be Entitled

An Act to amend Article 1037, of the Revised Criminal Statutes of Texas of 1925, as amended by Senate Bill No. 222, Chapter 303, Acts of the Forty-first Legislature, Regular Session, relating to weights and measures; prohibiting the sale, use or possession of false weights, measures, or weighing or measuring devices and weights, measures, or weighing or measuring devices which have not been sealed by a weights and measures official; prohibiting the sale and use of devices which have been condemned for repairs; prohibiting the sale of commodities contrary to law; requiring commodi-

ties to be sold by weight, measure, or numerical count; regulating the packing and marking of packages and containers; requiring the net quantity of contents of such packages or containers to be plainly and conspicuously marked on the outside of package or container; requiring the name and address of manufacturer, packer, or distributor on packages; providing for certain variations in weight; prohibiting deceptive pack; providing for standard of fill of containers; providing standards for the sale of milk, cheese, meat and meat food products, including poultry; prohibiting misrepresentation of price or quantity of commodity, thing, or service; providing for establishment of rules and regulations, including certain exemptions; defining certain terms; providing penalties for the enforcement of the Act; repealing laws in conflict; including a saving clause; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Article 1037 of the Revised Criminal Statutes of the State of Texas of 1925, as amended by Senate Bill No. 222, Chapter 303, Acts of the Forty-first Legislature, Regular Session, be and the same is hereby amended to read as follows:

"Article 1037. Any person who, by himself or by his servant or agent, or as the servant or agent of another person, shall offer or expose for sale, sell, use in the buying or selling of any commodity or thing, or for hire or award, or in the computation of any charge for services rendered on the basis of weight or measure, or in the determination of weight or measure when a charge is made for such determination, or retain in his possession, a false weight or measure or weighing or measuring device, or any weight or measure or weighing or measuring device which has not been sealed by the Commissioner, or his deputy, or inspectors, or by a sealer or deputy sealer of weights and measures within one year, or shall dispose of any condemned weight, measure, or weighing or measuring

device contrary to law; or who shall sell or offer or expose for sale less than the quantity he represents of any commodity, thing, or service, or shall take or attempt to take more than the quantity he represents, when, as the buyer, he furnishes the weight, measure, or weighing or measuring device by means of which the amount of any commodity, thing, or service is determined; or who shall keep for the purpose of sale, offer or expose for sale, or sell any commodity in a manner contrary to law; or who shall sell or offer for sale, or use or have in his possession for the purpose of selling or using, any device or instrument to be used to or calculated to falsify any weight or measure, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than Twenty Dollars (\$20.00) or more than One Hundred Dollars (\$100.00), upon a first conviction in any court of competent jurisdiction; and upon a second or subsequent conviction in any court of competent jurisdiction he shall be punished by a fine of not less than Fifty Dollars (\$50.00) or more than Two Hundred Dollars (\$200.00).

"Sec. A. The word 'person' as used in this Chapter shall be construed to include any individual and all officers, directors, managers, employees, and other agents of all corporations, companies, partnerships, societies and associations, and such is the legislative intent.

"The words 'weights, measures or (and) weighing or (and) measuring devices' as used in this Chapter, shall be construed to include all weights, scales, beams, measures of every kind, instruments and mechanical devices for weighing or measuring, and any appliances and accessories connected with any or all such instruments.

"The words 'sell' or 'sale' as used in this Chapter, shall be construed to include barter and exchange.

"The term 'false weight or measure, or (and) weighing or measuring device' as used in this Chapter, shall be construed to mean any weight or measure or weighing or measuring device which does not

conform as closely as practicable to the official standards, which is not accurate, which is of such construction that it is not reasonable permanent in its adjustment or will not correctly repeat its indications, which facilitates the perpetration of fraud, or which does not conform to the requirements of the Statutes of this State and to the specifications and tolerances promulgated by the Commissioner under authority of Article 5714, Chapter 7, Title 93, of the Revised Civil Statutes of Texas of 1925, as amended.

"Sec. B. It shall be unlawful to sell, except for immediate consumption on the premises, liquid commodities in any other manner than by liquid measure, or commodities not liquid in any other manner than by measure of length, by weight, or by numerical count: Provided, however, that liquid commodities may be sold by weight if there exists a general consumer usage to express the quantity of such commodities by weight and such expression give accurate information as to the quantity thereof; and that nothing in this section shall be construed to prevent the sale of fruits, vegetables, and other dry commodities in the standard barrel or by other methods provided for by State or Federal Law; or of berries and small fruits in boxes as provided for in the provisions of other Articles of the Statutes; or of vegetables or fruits usually sold by the head or bunch in this manner; provided further, that nothing in this section shall be construed to apply to commodities put up in original packages.

"For the purposes of this section the term 'original package' shall be construed to include a commodity in a package, carton, case, can, barrel, bottle, box, Phial, or other receptacle, or in coverings or wrappings of any kind, put up by the manufacturer, which may be labeled, branded, or stenciled, or otherwise marked, or which may be suitable for labeling, branding, or stenciling, or marking otherwise, making one complete package of the commodity. The words 'original package' shall be construed to include both the wholesale and the retail package.

"For the purposes of this section the term 'commodities not liquid' shall be construed to include goods, wares, and merchandise, which are not in liquid form and which have heretofore been sold by measure of length, by weight, by measure of capacity, or by numerical count, or which are susceptible of sale in any of these ways.

"Sec. C. (1) It shall be unlawful to keep for the purpose of sale, offer or expose for sale, or sell, any commodity in package form unless (a) the net quantity of contents, in terms of weight, measure, or numerical count; and (b) the name and place of business of the manufacturer, packer, or distributor shall be plainly and conspicuously marked on the outside of the package; provided, however, that under Clause (a) of this section reasonable variations or tolerances shall be permitted, and exemptions as to small packages shall be made; and that under Clause (b) of this section exemptions as to packages sold on the premises where packed shall be made; and provided further, that this section shall not be construed to apply to those commodities in package form, the manner of sale of which is specifically regulated by the provisions of other articles of the Statutes, or to bales of cotton; and that reasonable rules and regulations for the efficient enforcement of this Act, not inconsistent herewith, and including the reasonable variations or tolerances and the exemptions prescribed herein, shall be made by the Commissioner.

"(2) It shall be unlawful to keep for the purpose of sale, offer or expose for sale, or sell any commodity in package form if its container is so made, formed, or filled, or if it is so wrapped, as to mislead the purchaser as to the quantity of the contents; or if the contents of its container fall below the standard of fill prescribed by regulations promulgated as provided in this section. For the effectuation of the purposes of this section the Commissioner is hereby authorized to promulgate regulations fixing and establishing for any commodity in package form a standard of fill of container, which in his best judgment is reasonable

with respect to the physical characteristics of the commodity, the size, shape, and physical characteristics of the container, prevailing methods of handling and transportation of packages, and generally accepted good commercial practice in filling methods; provided, however, that reasonable variations or tolerances shall be permitted, and that these reasonable variations or tolerances shall be established by regulations made by the Commissioner.

"(3) The words 'in package form' as used in this chapter, shall be construed to include a commodity in package, carton, case, can, box, bag, barrel, bottle, phial, or on a spool or similar holder, or in a container or band, or in a roll, ball, coil, skein, or other receptacle, or in coverings or wrappings of any kind, put up by the manufacturer, or when put up prior to the order of the commodity, by the vendor, which may be suitable for labeling, branding, or stenciling, or marking otherwise, making one complete package of the commodity. The words 'in package form' shall be construed to include both the wholesale and the retail package; provided, however, that a box or carton used for shipping purposes containing a number of packages which are individually marked, as hereinbefore provided, will not be required to bear the weight or measure of the contents thereof, nor the name and place of business of the manufacturer, packer or distributor; and provided further, that the words 'in package form' shall not be construed to include paper stationery in tablet form.

"Sec. D. It shall be unlawful for any person to keep for the purpose of sale, offer or expose for sale, or sell, any milk or cream in bottles or other containers of any capacity other than those provided for measures of capacity for liquid in Article 5732, Chapter 7, Title 93, of the Revised Civil Statutes of Texas of 1925, to-wit, the gallon, a multiple of the gallon, one-half gallon, quart, pint, one-half pint, and gill.

"Sec. E. It shall be unlawful for any person to keep for the purpose of sale, offer or expose for sale, or sell, except for immediate consumption on the premises, any cheese,

meat, or meat food products otherwise than by standard net weight; provided, however, that any cheese, meat, or meat food products, in package form, shall comply with the requirements of Section C of this Article. For the purposes of this section the following shall be deemed to be meat and meat food products; All fresh, cured, or salt meats, fish, poultry, sausage, chile, head cheese, souse meat, loaf meat, boneless meat, shredded meat, hamburger meat, or any other manufactured, prepared, or processed meat or meat food products. This section shall be construed to require that all poultry sold by live weight shall be weighed alive at the time of sale, and that any poultry dressed or killed prior to time of sale, whether cooked or uncooked, shall be sold by net weight at time of sale and not by live weight or by the piece.

"The word 'poultry' as used in this section shall be construed to include turkeys, chickens, ducks, geese, guineas, squabs, and all other domesticated fowls.

"Sec. F. Whenever any commodity is sold on a basis of weight, it shall be unlawful to employ any other weight in such sale than the net weight of the commodity, and all contracts concerning goods sold on a basis of weight shall be understood and construed accordingly. Whenever the weight of a commodity is mentioned in this Chapter, it shall be understood and construed to mean the net weight of the commodity: Provided, however, that this Section shall not be construed to apply to bales of cotton.

"Sec. G. It shall be unlawful for any person to misrepresent the price of a commodity, thing, or service sold or offered or exposed for sale, or to represent the price or the quantity of any commodity, thing, or service sold or offered or exposed for sale in any manner calculated or tending to mislead or deceive an actual or prospective customer. Whenever any price sign, tag, card, poster, or other advertisement displaying the price of any commodity or thing, includes a whole number and a fraction, the figures in the fraction shall be of proportionate size and legibility with those of the whole number.

"Sec. H. There shall be no violation under this Act for any discrepancy between actual weight or volume at the time of sale to the consumer and the weight marked on the container or between the fill of container and the capacity of the container if such discrepancy is due to unavoidable leakage, shrinkage, evaporation, waste or to causes beyond the control of the seller acting in good faith.

"Sec. I. Any person who shall violate any provision of this Act, or any of the reasonable rules and regulations promulgated hereunder, for which a specific penalty has not been provided, shall be guilty of misdemeanor, and shall be punished by a fine of not less than Twenty Dollars (\$20.00) or more than One Hundred Dollars (\$100.00) upon a first conviction in any Court of competent jurisdiction; and upon a second or subsequent conviction in any Court of competent jurisdiction shall be punished by a fine of not less than Fifty Dollars (\$50.00) or more than Two Hundred Dollars (\$200.00).

Sec. 2. If any Article, Section, provision, subdivision, or part of this Act should be held invalid for any reason, it is the legislative intent that the remainder of the Act shall remain in full force and effect.

Sec. 3. House Bill No. 110, Chapter 53, Acts of the Third Called Session of the Thirty-eighth Legislature, and all other laws or parts of laws in conflict with this Act are hereby repealed.

Sec. 4. The fact that many commodities are being sold in this State in package form without the net quantity of contents being marked thereon, and the further fact of the crowded condition of the calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Chambers, the report was adopted by the following vote:

Yeas—111

Allen	Hoyo
Allison	Huddleston
Alsup	Huffman
Avant	Hughes
Bailey	Humphrey
Baker	Hutchinson
Bell	Isaacks
Benton	Kelly
Blankenship	Knight
Boone	Lansberry
Brawner	Lehman
Bridgers	Leyendecker
Brown	Little
Bruhl	Lock
Bullock	Love
Bundy	Lucas
Burkett	McAlister
Burnaman	McDonald
Carlton	McGlasson
Carrington	McMurry
Cato	McNamara
Chambers	Manford
Clark	Manning
Cleveland	Markle
Coker	Martin
Colson, Mrs.	Matthews
Connelly	Montgomery
Crossley	Moore
Crosthwait	Murray
Davis	Pace
Deen	Parker
Dickson of Bexar	Pevehouse
Donald	Phillips
Dove	Price
Duckett	Rampy
Ellis	Reed of Bowie
Eubank	Reed of Dallas
Evans	Ridgeway
Favors	Rhodes
Ferguson	Roberts
Fitzgerald	Sallas
Fuchs	Senterfitt
Garland	Simpson
Goodman	Skiles
Halsey	Smith of Bastrop
Hanna	Smith of Atascosa
Hardeman	Spacek
Hargis	Stanford
Harris of Dallas	Stinson
Harris of Hill	Taylor
Helpinstill	Turner
Henderson	Weatherford
Hileman	White
Hobbs	Whitesides
Howard	Winfree
Howington	

Nays—11

Craig	Kersey
Jones	King

Klingeman	Thornton
Lowry	Walters
Morgan	Wattner
Morris	

Absent

Bean	Hartzog
Celaya	Kinard
Daniel	McLellan
Dickson of Nolan	Roark
Dwyer	Sharpe
Files	Shell
Gandy	Vale
Gilmer	Voigt

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 284

Mr. Alsup submitted for consideration at this time, the Conference Committee report on House Bill No. 284 providing for certain appropriation for the aid of rural schools.

On motion of Mr. Alsup, the conference report was ordered printed as a supplement to the House Journal.

On motion of Mr. Alsup, the report was adopted by the following vote:

Yeas—123

Allen	Chambers
Allison	Clark
Alsup	Cleveland
Avant	Coker
Bailey	Colson, Mrs.
Baker	Connelly
Bean	Crossley
Bell	Crosthwait
Benton	Daniel
Blankenship	Davis
Boone	Dickson of Bexar
Bridgers	Donald
Brown	Dove
Bruhl	Duckett
Bullock	Dwyer
Bundy	Ellis
Burkett	Eubank
Burnaman	Evans
Carlton	Favors
Carrington	Ferguson
Cato	Files

Garland
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Helpinstill
Henderson
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Huffman
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kersey
King
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
McAlister
McDonald
McGlasson
McLellan

McMurry
McNamara
Manford
Manning
Markle
Martin
Matthews
Montgomery
Moore
Morgan
Morse
Murray
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roberts
Sallas
Senterfitt
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Stinson
Taylor
Thornton
Turner
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—2

Craig	Voigt
-------	-------

Absent

Brawner	Kinard
Celaya	Morris
Deen	Roark
Dickson of Nolan	Sharpe
Fitzgerald	Stanford
Fuchs	Vale
Gandy	

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

Mr. Alsup moved to reconsider the vote by which the report was adopt-

ed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 845 WITH SENATE AMENDMENTS

Mr. Stinson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 845, A bill to be entitled "An Act to amend Article 2465, Revised Civil Statutes of 1925, as amended by Acts of the Forty-first Legislature, Regular Session, 1929, Chapter 17, page 46, Section 1, as amended by Acts of the Forty-first Legislature, Second Called Session, page 168, Chapter 85, Section 1, providing for books and records to be kept by credit unions, for supervision and examination of credit unions by some competent person or persons designated by the State Banking Commissioner, by one or more credit union examiners appointed by the Banking Commissioner, or by certain employees of the Banking Department; and providing for salaries and expense accounts for such person or persons; fixing maximum fees to be charged for such services and a method for handling such moneys collected from the credit unions; and declaring an emergency."

On motion of Mr. Stinson, the House concurred in the Senate amendments.

MESSAGE FROM THE GOVERNOR

The Chair laid before the House and had read the following message from the Governor:

June 19th, 1941.

To the House of Representatives, of the Forty-seventh Legislature:

In compliance with the request contained in House Concurrent Resolution No. 249, I am today returning to the House of Representatives House Bill No. 161.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

TO SUSPEND JOINT RULES

Mr. Morris offered the following resolution:

H. C. R. No. 254, To suspend Joint Rules to consider House Bill No. 9.

Now therefore be it resolved, by the House of Representatives, the Senate concurring, That the Joint Rules of the 47th Legislature be suspended in order that the House may consider House Bill No. 9 on Thursday, June 19th.

MORRIS,
HARRIS of Dallas.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was lost by the following vote:

Yeas—63

Allen	Howington
Allison	Huddleston
Bailey	Huffman
Baker	Kelly
Bean	Klingeman
Bell	Knight
Blankenship	Lansberry
Brawner	Lehman
Bullock	Leyendecker
Carlton	Love
Carrington	Lucas
Cato	McGlasson
Chambers	McMurry
Connelly	McNamara
Craig	Manning
Crosthwait	Moore
Davis	Morgan
Deen	Morris
Donald	Murray
Ellis	Pace
Eubank	Rampy
Evans	Reed of Dallas
Files	Rhodes
Fuchs	Sallas
Gandy	Senterfitt
Gilmer	Skiles
Halsey	Spacek
Hanna	Voigt
Hardeman	Wattner
Harris of Dallas	Weatherford
Harris of Hill	Whitesides
Hileman	

Nays—66

Alsup	Benton
Avant	Boone

Bridgers	Isaacks
Brown	Jones
Bruhl	Kersey
Bundy	Kinard
Burkett	King
Burnaman	Little
Celaya	Lock
Clark	Lowry
Cleveland	McAlister
Coker	McDonald
Colson, Mrs.	McLellan
Crossley	Markle
Daniel	Martin
Dickson of Bexar	Matthews
Dove	Montgomery
Duckett	Parker
Dwyer	Pevehouse
Favors	Price
Ferguson	Reed of Bowie
Fitzgerald	Ridgeway
Garland	Roberts
Goodman	Shell
Hargis	Simpson
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hobbs	Taylor
Howard	Thornton
Hoyo	Turner
Hughes	Walters
Humphrey	White
Hutchinson	Winfree

Absent

Dickson of Nolan	Sharpe
Hartzog	Stanford
Manford	Stinson
Phillips	Vale
Roark	

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

(Speaker in the Chair.)

SUSPENDING JOINT RULES

Mr. McMurry offered the following resolution:

H. C. R. No. 255, Suspending Joint Rules to consider House Bill No. 161.

Be it resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the House and Senate be suspended so that the House may take up and consider House Bill No. 161 on Thursday, June 19.

The resolution was read second time and was adopted.

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Phillips moved that the necessary Rules be suspended, for the purpose of taking up and considering, at this time, Senate Concurrent Resolution No. 81.

The motion prevailed.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 81, To provide for adjournment sine die.

Be it resolved by the Senate of Texas, the House of Representatives concurring, That the Regular Session of the 47th Legislature stand adjourned sine die at 12:00 noon, June 21, 1941.

The resolution was read second time.

Mr. Morse moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—78

Allison	Ellis
Alsup	Eubank
Bell	Evans
Benton	Ferguson
Brawner	Files
Bridgers	Fitzgerald
Brown	Fuchs
Bruhl	Gandy
Bundy	Garland
Burnaman	Gilmer
Carlton	Hardeman
Carrington	Hargis
Cato	Harris of Hill
Celaya	Henderson
Chambers	Howard
Cleveland	Huffman
Coker	Hughes
Colson, Mrs.	Isaacks
Crosthwait	Kelly
Deen	Kinard
Donald	Lansberry
Dove	Lehman
Duckett	Leyendecker
	Little

Lock	Rhodes
Love	Senterfitt
McDonald	Shell
McGlasson	Skiles
McLellan	Spacek
McMurry	Spangler
McNamara	Stanford
Markle	Taylor
Martin	Turner
Montgomery	Walters
Moore	Wattner
Morris	Weatherford
Morse	White
Murray	Whitesides
Phillips	Winfree
Reed of Dallas	

Nays—52

Allen	Humphrey
Avant	Hutchinson
Bailey	Kersey
Baker	King
Bean	Klingeman
Blankenship	Knight
Bullock	Lowry
Burkett	Lucas
Clark	Manning
Connelly	Matthews
Craig	Morgan
Crossley	Pace
Daniel	Parker
Davis	Pevehouse
Dickson of Bexar	Price
Dwyer	Rampy
Favors	Reed of Bowie
Goodman	Ridgeway
Halsey	Roberts
Hanna	Sallas
Harris of Dallas	Simpson
Helpinstill	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Stinson
Howington	Thornton
Hoyo	Voigt
Huddleston	

Absent

Boone	Manford
Dickson of Nolan	Roark
Hartzog	Sharpe
Jones	Vale
McAlister	

Absent—Excused

Bray	McCann
Heflin	Mills
Kennedy	Nicholson
Lyle	Stubbs

PAIRED

Mr. Bean (present), who would vote "yea," with Mr. Heflin (absent), who would vote "nay."

Mr. Benton (present), who would vote "yea," with Mr. Kennedy (absent), who would vote "nay."

MOTION TO SUSPEND HOUSE RULES

Mr. Morse moved that the remaining recess and sine die resolutions on the Speaker's stand at this time be laid on the table subject to call.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—83

Allison	Howington
Alsup	Huddleston
Baker	Huffman
Bell	Isaacks
Benton	Kelly
Brawner	Kinard
Bridgers	Lansberry
Brown	Lehman
Bruhl	Leyendecker
Bullock	Little
Bundy	Lock
Burnaman	Love
Carlton	McAlister
Carrington	McDonald
Cato	McGlasson
Celaya	McLellan
Chambers	McNamara
Cleveland	Markle
Coker	Martin
Colson, Mrs.	Montgomery
Crosthwait	Moore
Deen	Morris
Donald	Morse
Dove	Murray
Duckett	Phillips
Ellis	Reed of Dallas
Eubank	Rhodes
Evans	Senterfitt
Ferguson	Shell
Files	Skiles
Fitzgerald	Smith of Bastrop
Fuchs	Spacek
Gandy	Spangler
Garland	Stanford
Gilmer	Taylor
Hargis	Turner
Harris of Hill	Walters
Hartzog	Wattner
Henderson	Weatherford
Hileman	White
Howard	Whitesides
	Winfree

Nays—45

Allen	Bailey
Avant	Bean

Burkett	Klingeman
Clark	Knight
Connelly	Lowry
Craig	Lucas
Crossley	Manning
Daniel	Matthews
Davis	Morgan
Dickson of Bexar	Pace
Dwyer	Parker
Favors	Pevehouse
Goodman	Price
Halsey	Rampy
Harris of Dallas	Reed of Bowie
Helpinstill	Ridgeway
Hobbs	Roberts
Hoyo	Sallas
Hughes	Simpson
Humphrey	Smith of Atascosa
Hutchinson	Stinson
Kersey	Voigt
King	

Absent

Blankenship	McMurry
Boone	Manford
Dickson of Nolan	Roark
Hanna	Sharpe
Hardeman	Thornton
Jones	Vale

Absent—Excused

Bray	McCann
Heffin	Mills
Kennedy	Nicholson
Lyle	Stubbs

Mr. Morse moved to suspend the Rules in order that a motion may be made to table the recess and sine die resolutions on the Speaker's stand at this time.

The motion to suspend the Rules was lost.

SUSPENDING JOINT RULES

Mr. Simpson offered the following resolution:

H. C. R. No. 256, Suspending Joint Rules to consider House Bill No. 287.

Be it resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the House and Senate be suspended so that the House may take up and consider House Bill No. 287 on Thursday, June 19th, 1941.

The resolution was read second time.

(Pending consideration of the

resolution, Mr. Kersey occupied the Chair temporarily.)

(Mr. Little in the Chair.)

Question recurring on the resolution by Mr. Simpson, yeas and nays were demanded.

The roll of the House was called and the vote announced, as follows: Yeas, 60; nays, 58.

A verification of the vote was requested.

Mr. Simpson moved to dispense with the verification.

The motion prevailed.

The Chair announced that the resolution was adopted by the following vote:

Yeas—59

Allen	Lehman
Bailey	Leyendecker
Boone	Lock
Bundy	Love
Carlton	Lowry
Cato	Lucas
Connelly	McAlister
Daniel	Martin
Davis	Matthews
Deen	Montgomery
Dickson of Bexar	Morgan
Donald	Morse
Dove	Murray
Dwyer	Pevehouse
Evans	Price
Favors	Reed of Bowie
Ferguson	Reed of Dallas
Fitzgerald	Ridgeway
Goodman	Rhodes
Halsey	Senterfitt
Hanna	Sharpe
Harris of Dallas	Simpson
Harris of Hill	Spacek
Helpinstill	Stinson
Hobbs	Taylor
Hoyo	Turner
Huddleston	White
Kinard	Whitesides
Knight	Winfree
Lansberry	

Nays—57

Allison	Brown
Alsup	Bullock
Avant	Burkett
Baker	Burnaman
Benton	Carrington
Blankenship	Chambers
Brawner	Clark

Cleveland	McDonald	Dove	Lucas
Coker	McMurry	Dwyer	McLellan
Crossley	McNamara	Evans	McMurry
Duckett	Manford	Favors	Martin
Ellis	Markle	Ferguson	Matthews
Eubank	Moore	Fitzgerald	Montgomery
Fuchs	Morris	Fuchs	Moore
Gandy	Pace	Gandy	Morgan
Garland	Parker	Goodman	Morse
Henderson	Phillips	Halsey	Murray
Hileman	Rampy	Hanna	Pace
Howard	Roberts	Harris of Dallas	Pevehouse
Howington	Sallas	Harris of Hill	Price
Huffman	Skiles	Hobbs	Reed of Bowie
Hughes	Smith of Bastrop	Howard	Reed of Dallas
Humphrey	Smith of Atascosa	Hoyo	Ridgeway
Hutchinson	Stanford	Huddleston	Rhodes
Isaacks	Thornton	Humphrey	Sharpe
Jones	Walters	Kinard	Simpson
Kelly	Wattner	King	Smith of Bastrop
Kersey	Weatherford	Knight	Spacek
King		Lansberry	Stinson

Absent

Bean	Hardeman
Bell	Hargis
Bridgers	Hartzog
Bruhl	Klingeman
Celaya	McGlasson
Colson, Mrs.	McLellan
Craig	Roark
Dickson of Nolan	Shell
Files	Vale
Gilmer	Voigt

Absent—Excused

Bray	Manning
Crosthwaite	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

Mr. Simpson moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—64

Allen	Carlton
Allison	Connelly
Bailey	Davis
Bean	Deen
Blankenship	Dickson of Bexar
Boone	Donald

Lucas	McLellan
McMurry	Martin
Matthews	Montgomery
Moore	Morgan
Morse	Murray
Pace	Pevehouse
Price	Reed of Bowie
Reed of Dallas	Ridgeway
Rhodes	Sharpe
Simpson	Smith of Bastrop
Spacek	Stinson
Turner	White
Whitesides	Winfree

Nays—51

Alsup	Henderson
Avant	Hileman
Baker	Howington
Benton	Huffman
Brawner	Hughes
Brown	Isaacks
Bullock	Jones
Burkett	Kelly
Burnaman	Klingeman
Carrington	McDonald
Cato	McGlasson
Chambers	McNamara
Clark	Manning
Cleveland	Markle
Coker	Morris
Craig	Parker
Crossley	Phillips
Daniel	Rampy
Duckett	Roberts
Ellis	Senterfitt
Eubank	Smith of Atascosa
Garland	Stanford
Hardeman	Voigt
Hargis	Walters
Hartzog	Weatherford
Helpinstill	

Absent

Bell	Dickson of Nolan
Bridgers	Files
Bruhl	Gilmer
Bundy	Hutchinson
Celaya	Kersey
Colson, Mrs.	Leyendecker

McAlister	Skiles
Manford	Taylor
Roark	Thornton
Sallas	Vale
Shell	Wattner

Absent—Excused

Bray	McCann
Crosthwait	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs

(Speaker in the Chair.)

MESSAGE FROM THE SENATE

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on House Bill No. 284 by the following vote: Yeas, 27; nays, 1.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 1084.

The following have been appointed on the part of the Senate:

Senators Shivers, Moore, Weinert, Ramsey, York.

Passed

H. B. No. 414, A bill to be entitled "An Act amending Chapter 58, Section 1, of Acts of 42nd Legislature, Regular Session; and declaring an emergency." (With amendments.)

The Senate has refused to adopt H. C. R. No. 240, Granting permission to both Houses to recess to certain date, by the following vote: Yeas, 12; nays, 15.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 414 WITH SENATE AMENDMENTS

Mr. Clark called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 414, A bill to be entitled "An Act amending Section 1 of Chapter 58 of the General Laws of the Forty-second Legislature, Regular Session, as amended by Chapter 97 of the General Laws of the Forty-third Legislature, Regular Session; and declaring an emergency."

On motion of Mr. Clark, the House concurred in the Senate amendments by the following vote:

Yeas—124

Allen	Hanna
Allison	Hargis
Alsup	Harris of Dallas
Avant	Harris of Hill
Bailey	Hartzog
Baker	Helpinstill
Bean	Henderson
Bell	Hileman
Benton	Howard
Blankenship	Howington
Boone	Hoyo
Brawner	Huddleston
Bridgers	Huffman
Bruhl	Hughes
Bullock	Humphrey
Bundy	Hutchinson
Burnaman	Isaacks
Carlton	Jones
Carrington	Kelly
Cato	Kersey
Chambers	Kinard
Clark	King
Cleveland	Klingeman
Coker	Knight
Colson, Mrs.	Lansberry
Connelly	Lehman
Craig	Little
Crossley	Lock
Daniel	Love
Davis	Lowry
Deen	Lucas
Dickson of Bexar	McAlister
Donald	McDonald
Dove	McGlasson
Duckett	McLellan
Dwyer	McNamara
Ellis	Manford
Eubank	Markle
Evans	Martin
Favors	Matthews
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morgan
Fuchs	Morris
Gandy	Morse
Garland	Murray
Gilmer	Pace
Goodman	Parker
Halsey	Pevehouse
	Phillips

Price	Smith of Atascosa	Burnaman	Little
Rampy	Spacek	Carlton	Lock
Reed of Bowie	Stanford	Carrington	Love
Reed of Dallas	Taylor	Cato	McAlister
Ridgeway	Thornton	Clark	McGlasson
Rhodes	Turner	Cleveland	McLellan
Roberts	Voigt	Coker	McMurry
Senterfitt	Walters	Colson, Mrs.	McNamara
Sharpe	Weatherford	Deen	Markle
Shell	White	Donald	Martin
Simpson	Whitesides	Dove	Montgomery
Skiles	Winfree	Duckett	Moore
Smith of Bastrop		Ellis	Morris
	Absent	Evans	Morse
Brown	McMurry	Ferguson	Murray
Burkett	Roark	Files	Phillips
Celaya	Sallas	Fitzgerald	Reed of Dallas
Dickson of Nolan	Stinson	Fuchs	Rhodes
Hardeman	Vale	Gandy	Senterfitt
Hobbs	Wattner	Garland	Sharpe
Leyendecker		Gilmer	Shell
	Absent—Excused	Hardeman	Skiles
Bray	Manning	Hargis	Spacek
Crosthwait	Mills	Harris of Hill	Spangler
Heflin	Nicholson	Hartzog	Stanford
Kennedy	Spangler	Henderson	Stinson
Lyle	Stubbs	Howard	Taylor
McCann		Huffman	Thornton
		Hughes	Turner
TO PROVIDE FOR ADJOURNMENT		Isaacks	Vale
SINE DIE		Jones	Walters
Mr. Reed of Bowie offered the following resolution:		Kelly	Weatherford
H. C. R. No. 243, To Provide for Adjournment Sine Die.		Kinard	White
Be it resolved by the House of Representatives of the 47th Legislature, the Senate concurring, That the Regular Session of the 47th Legislature adjourn sine die on Saturday, June 21st, at 12 o'clock noon.		Lansberry	Whitesides
The resolution was read second time.		Lehman	Winfree
Mr. McMurry moved to table the resolution.			Nays—52
Question recurring on the motion to table, yeas and nays were demanded.		Allen	Hoyo
The motion to table prevailed by the following vote:		Avant	Huddleston
Yeas—80		Bailey	Humphrey
Allison	Brawner	Baker	Hutchinson
Alsup	Bridgers	Bean	Kersey
Bell	Brown	Boone	King
Benton	Bruhl	Bullock	Klingeman
Blankenship	Bundy	Burkett	Knight
		Chambers	Lowry
		Connelly	Lucas
		Craig	Manford
		Crossley	Matthews
		Daniel	Morgan
		Davis	Pace
		Dickson of Bexar	Parker
		Dwyer	Pevehouse
		Eubank	Price
		Favors	Rampy
		Goodman	Reed of Bowie
		Halsey	Ridgeway
		Hanna	Roberts
		Harris of Dallas	Sallas
		Helpinstill	Simpson
		Hileman	Smith of Bastrop
		Hobbs	Smith of Atascosa
		Howington	Voigt

Absent

Celaya	McDonald
Dickson of Nolan	Roark
Leyendecker	Wattner

Absent—Excused

Bray	McCann
Crosthwait	Manning
Heflin	Mills
Kennedy	Nicholson
Lyle	Stubbs

**TO PROVIDE FOR ADJOURNMENT
SINE DIE**

Mr. Hughes offered the following resolution:

H. C. R. No. 245, To Provide for Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate concurring, That the Legislature adjourn sine die at 12:00 o'clock noon on Tuesday, July 1, 1941.

HUGHES,
CATO,
LOWRY,
ALLISON,
ALLEN,
STUBBS,
GANDY,
HUFFMAN,
BENTON,
BRAWNER,
BAKER,
WINFREE,
WHITE,
BUNDY,
GARLAND,
HUDDLESTON,
MANFORD,
HILEMAN,
BEAN,
McLELLAN,
LYLE,
McMURRY,
McCANN,
MANNING,
HUMPHREY,
HENDERSON,
BRUHL,
CONNELLY,
ROARK.

The resolution was read second time.

Mr. Turner offered the following amendment to the resolution:

Amend House Concurrent Resolu-

tion No. 245 by striking out the date, July 1, and inserting in lieu thereof: July 3.

On motion of Mr. Taylor, the amendment was tabled.

Mr. Taylor moved to table the resolution.

The motion to table prevailed.

**TO PROVIDE FOR ADJOURNMENT
SINE DIE**

Mr. Matthews offered the following resolution:

H. C. R. No. 244, To Provide for Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-seventh Legislature stand adjourned sine die Saturday, June 21, 1941, at 12 noon.

MATTHEWS,
KENNEDY.

The resolution was read second time.

Mr. Taylor moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—72

Allison	Evans
Alsup	Ferguson
Bell	Files
Benton	Fuchs
Blankenship	Gandy
Brawner	Gilmer
Bridgers	Hardeman
Brown	Hargis
Bruhl	Harris of Hill
Bundy	Hartzog
Burnaman	Henderson
Carlton	Howard
Carrington	Huffman
Cato	Hughes
Cleveland	Isaacks
Coker	Kelly
Colson, Mrs.	Kinard
Crosthwait	Lansberry
Deen	Lehman
Donald	Little
Duckett	Lock
Ellis	McAlister
	McDonald

McGlasson	Senterfitt
McLellan	Shell
McMurry	Skiles
McNamara	Spacek
Markle	Spangler
Martin	Stanford
Montgomery	Taylor
Moore	Thornton
Morris	Turner
Morse	Wattner
Murray	Weatherford
Phillips	Whitesides
Reed of Dallas	Winfree
Rhodes	

Nays—57

Allen	Humphrey
Avant	Hutchinson
Bailey	Kersey
Baker	King
Bean	Klingeman
Boone	Knight
Bullock	Love
Burkett	Lowry
Connelly	Lucas
Craig	Manford
Crossley	Manning
Daniel	Matthews
Davis	Morgan
Dickson of Bexar	Pace
Dove	Parker
Dwyer	Pevehouse
Eubank	Price
Favors	Rampy
Garland	Reed of Bowie
Goodman	Ridgeway
Halsey	Roberts
Hanna	Sallas
Harris of Dallas	Simpson
Helpinstill	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Stinson
Howington	Voigt
Hoyo	Walters
Huddleston	

Absent

Celaya	Leyendecker
Chambers	Roark
Clark	Sharpe
Dickson of Nolan	Vale
Fitzgerald	White
Jones	

Absent—Excused

Bray	McCann
Heflin	Mills
Kennedy	Nicholson
Lyle	Stubbs

TO PROVIDE FOR ADJOURNMENT
SINE DIE

Mr. Hughes offered the following resolution:

H. C. R. No. 253, To Provide for Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate concurring, That the Legislature adjourn sine die at 12:00 o'clock noon, Thursday, July 3, 1941.

HUGHES,
CATO,
ALLISON,
BOONE,
BEAN.

The resolution was read second time.

Mr. Eubank offered the following amendment to the resolution:

To amend House Concurrent Resolution No. 253 by striking out and inserting in lieu thereof "6:00 p. m., June 19, 1941."

On motion of Mr. Hughes, the amendment was tabled.

On motion of Mr. Taylor, the resolution was tabled.

AUTHORIZING THE LOAN OF
CERTAIN HIGHWAY
EQUIPMENT

Mr. Gilmer offered the following resolution:

H. C. R. No. 257, Authorizing the loan of certain discarded highway equipment to the City of Sonora.

Whereas, The State Highway Department of the State of Texas has a large quantity of discarded guard wire and other fencing material in Sutton County and in other counties adjacent thereto; and

Whereas, The City of Sonora in said Sutton County is presently engaged in a program of city beautification including the fencing of public parks on and adjacent to State highways in said City for the pleasure, enjoyment and comfort of the citizenship thereof and of the traveling public generally, in connection with which program it will be advantageous to make the use of such dis-

carded wire and other discarded equipment available; now,

Therefore, be it resolved by the House of Representatives, the Senate concurring, That the State Highway Department of the State of Texas be and it is hereby authorized to loan to the said City of Sonora a sufficient quantity of the discarded wire and other discarded equipment, above mentioned, and as may be spared, for the purposes above mentioned; provided, however, that such equipment is to be returned to the State Highway Department upon request, if and when the same should ever be needed, and it is so resolved.

The resolution was read second time and was adopted.

COMMENDING HONORABLE
J. A. BENTON

Mr. Evans offered the following resolution:

H. S. R. No. 350, Commending Honorable J. A. Benton.

Whereas, One of our distinguished Members who has served the 47th Legislature well and faithfully, and

Whereas, This Member served in the Spanish-American War, the Philippine Insurrection, and the World War, and

Whereas, He was wounded in both the Philippine Insurrection and the World War, and is now a reserve Captain in the United States Army, and

Whereas, The Veterans of Foreign Wars is an organization composed only of members having served on foreign soil, and

Whereas, The Honorable Captain J. A. Benton is now senior vice commander of the Veterans of Foreign Wars of Texas, and

Whereas, The State Encampment meets in Fort Worth, June 21st to 24th, and

Whereas, His Legislative associates desire to express their approval of his fine work as a Legislator and citizen; now, therefore be it

Resolved, That we, the 47th Legislature here assembled, commend the Honorable Captain J. A. Benton to

the V. F. W. and ex-service men of Texas.

EVANS,
BRAWNER,
BURNAMAN,
HOWARD,
CROSSLEY,
CELAYA,
VOIGT,
MCLELLAN,
ROBERTS,
MOORE,
GOODMAN,
HELFINSTILL.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Blankenship, Boone, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Carlton, Carrington, Cato, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Henderson, Hileman, Hobbs, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Little, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

RELATIVE TO CERTAIN INVESTIGATING COMMITTEE

Mr. Isaacks offered the following resolution:

H. S. R. No. 351, Relative to Certain Investigating Committee.

Whereas, House Simple Resolution No. 236 has been adopted by the House of Representatives providing for the appointment of a committee of five Members to be appointed to make a thorough investigation of the State Eleemosynary Institutions; now, therefore, be it

Resolved by the House of Representatives, That House Simple Resolution No. 236 be amended only so as to provide for the appointment of two additional Members on the committee, created by House Simple Resolution No. 236, making a total of seven Members; provided that said two additional Members shall be from districts in which no Eleemosynary Institution or Reformatory is situated.

ISAACKS,
HARDEMAN,
MORRIS.

The resolution was read second time.

Mr. Hileman raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 1038

Mr. Baker offered the following resolution:

H. C. R. No. 259, Authorizing Certain Correction in House Bill No. 1038.

Whereas, House Bill No. 1038 has passed the House and the Senate; and

Whereas, Said Bill was amended in the Senate and it is found that said amendment contains a typographical error; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the

House be instructed to change the figures "154" to "271" wherever same occur in said bill.

The resolution was read second time and was adopted.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 161

Mr. McMurry offered the following resolution:

H. C. R. No. 261, Authorizing Certain Correction in House Bill No. 161.

Be it resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be instructed to correct House Bill No. 161 so as to appear in the form attached hereto.

The resolution was read second time and was adopted.

SENATE BILL NO. 295 ON SECOND READING

Mr. Little moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, Senate Bill No. 295.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 295, A bill to be entitled "An Act authorizing the Commissioners' Court in certain counties to pay out of the General Funds of such counties the premium on the surety bond required by law to be furnished by County Treasurers, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 295 ON THIRD READING

Mr. Little moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 295 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Allen
Allison

Alsup
Avant

Bailey	Hughes
Bean	Humphrey
Bell	Hutchinson
Benton	Jones
Blankenship	Kelly
Boone	Kersey
Brawner	Kinard
Bridgers	Klingeman
Brown	Knight
Bruhl	Lehman
Bullock	Little
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	McAlister
Cato	McDonald
Chambers	McGlasson
Clark	McLellan
Coker	McMurry
Colson, Mrs.	McNamara
Connelly	Manning
Craig	Markle
Crossley	Martin
Crosthwait	Matthews
Daniel	Montgomery
Davis	Moore
Deen	Morgan
Dickson of Bexar	Morris
Donald	Morse
Dove	Murray
Dwyer	Pace
Ellis	Parker
Eubank	Pevehouse
Evans	Phillips
Favors	Price
Ferguson	Rampy
Files	Reed of Bowie
Fuchs	Reed of Dallas
Gandy	Ridgeway
Garland	Rhodes
Gilmer	Roberts
Goodman	Sallas
Halsey	Senterfitt
Hanna	Shell
Hardeman	Simpson
Hargis	Smith of Bastrop
Harris of Dallas	Smith of Atascosa
Harris of Hill	Spacek
Hartzog	Stanford
Helpinstill	Stinson
Henderson	Taylor
Hileman	Thornton
Hobbs	Voigt
Howard	Walters
Howington	Wattner
Hoyo	Weatherford
Huddleston	White
	Winfree

Present—Not Voting

Lansberry

Absent

Baker	Leyendecker
Celaya	Manford
Cleveland	Roark
Dickson of Nolan	Sharpe
Duckett	Skiles
Fitzgerald	Turner
Huffman	Vale
Isaacks	Whitesides
King	

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

The Speaker then laid Senate Bill No. 295 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—121

Allen	Dove
Allison	Dwyer
Alsup	Ellis
Avant	Eubank
Bailey	Evans
Bean	Favors
Bell	Ferguson
Benton	Files
Blankenship	Fuchs
Boone	Gandy
Brawner	Garland
Bridgers	Gilmer
Brown	Goodman
Bruhl	Halsey
Bullock	Hanna
Bundy	Hardeman
Burkett	Hargis
Burnaman	Harris of Dallas
Carlton	Harris of Hill
Carrington	Hartzog
Cato	Helpinstill
Chambers	Henderson
Clark	Hileman
Coker	Hobbs
Colson, Mrs.	Howard
Connelly	Howington
Craig	Hoyo
Crossley	Huddleston
Crosthwait	Hughes
Daniel	Humphrey
Davis	Hutchinson
Deen	Jones
Dickson of Bexar	Kelly
Donald	Kersey
	Kinard

Klingeman	Pevehouse
Knight	Phillips
Lehman	Price
Little	Rampy
Lock	Reed of Bowie
Love	Reed of Dallas
Lowry	Ridgeway
Lucas	Rhodes
McAlister	Roberts
McDonald	Sallas
McGlasson	Senterfitt
McLellan	Shell
McMurry	Simpson
McNamara	Smith of Bastrop
Manning	Smith of Atascosa
Markle	Spacek
Martin	Stanford
Matthews	Stinson
Montgomery	Taylor
Moore	Thornton
Morgan	Voigt
Morris	Walters
Morse	Wattner
Murray	Weatherford
Pace	White
Parker	Winfree

Present—Not Voting

Lansberry

Absent

Baker	Leyendecker
Celaya	Manford
Cleveland	Roark
Dickson of Nolan	Sharpe
Duckett	Skiles
Fitzgerald	Turner
Huffman	Vale
Isaacks	Whitesides
King	

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

**PROVIDING FOR CERTAIN
RECESS AND ADJOURN-
MENT SINE DIE**

Mr. Kersey offered the following resolution:

H. C. R. No. 260, Providing for Certain Recess and Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate concurring, That the House and Senate recess at 12:00 noon, June 21, 1941, until July 14, 1941.

The resolution was read second time.

Mr. Taylor offered the following amendment to the resolution:

"Be it further resolved, That during said period of recess the Members of the Legislature shall draw no per diem for their services and that all employees of both branches of the Legislature be discharged from service and that the elective officers of the House and Senate be allowed no salary during such recess except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain."

The amendment was adopted.

Question recurring on the resolution, as amended, yeas and nays were demanded.

The resolution, as amended, was then adopted by the following vote:

Yeas—71

Allen	Howard
Allison	Kelly
Alsup	Kersey
Bell	King
Brawner	Lansberry
Bridgers	Lehman
Brown	Little
Bruhl	Lock
Bullock	Love
Bundy	McAlister
Carlton	McDonald
Carrington	McGlasson
Cato	McMurry
Chambers	McNamara
Clark	Martin
Coker	Montgomery
Colson, Mrs.	Moore
Crossley	Morgan
Crosthwait	Morris
Deen	Morse
Dove	Murray
Ellis	Reed of Dallas
Eubank	Sharpe
Evans	Shell
Ferguson	Skiles
Files	Smith of Atascosa
Fuchs	Spacek
Garland	Spangler
Gilmer	Stanford
Halsey	Taylor
Hardeman	Thornton
Hargis	Turner
Harris of Hill	Walters
Hartzog	Wattner

Weatherford
White

Winfree

Nays—51

Avant	Humphrey
Bailey	Hutchinson
Baker	Klingeman
Blankenship	Knight
Boone	Lucas
Burkett	McLellan
Connelly	Manford
Craig	Manning
Daniel	Markle
Davis	Matthews
Dickson of Bexar	Pace
Donald	Parker
Duckett	Pevehouse
Dwyer	Price
Favors	Rampy
Goodman	Reed of Bowie
Hanna	Ridgeway
Harris of Dallas	Rhodes
Helpinstill	Roberts
Henderson	Sallas
Hileman	Senterfitt
Hobbs	Simpson
Howington	Smith of Bastrop
Hoyo	Stinson
Huddleston	Voigt
Hughes	

Absent

Bean	Isaacks
Benton	Jones
Burnaman	Kinard
Celaya	Leyendecker
Cleveland	Lowry
Dickson of Nolan	Phillips
Fitzgerald	Roark
Gandy	Vale
Huffman	Whitesides

Absent—Excused

Bray	McCann
Heflin	Mills
Kennedy	Nicholson
Lyle	Stubbs

Mr. Taylor moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

MOTIONS TO INTRODUCE
CERTAIN BILLS

Mr. Bean moved to introduce the following bill:

By Mr. Bean:

H. B. No. —, A bill to be entitled
"An Act amending Article 2700, Re-

vised Civil Statutes of Texas, 1925, as amended by House Bill No. 364, of the 47th Legislature by adding thereto Section 1a, providing, in counties of over 30,000 scholastic population a maximum annual salary of not to exceed Three Thousand Dollars (\$3,000) for an assistant to the County Superintendent and a maximum annual salary of Eighteen Hundred Dollars (\$1,800) for all other assistants and declaring an emergency."

The motion was lost by the following vote:

Yeas—54

Avant	Humphrey
Bean	Hutchinson
Boone	Kelly
Bridgers	Kinard
Bruhl	Lock
Bullock	Lucas
Carrington	McDonald
Colson, Mrs.	Manford
Crosthwait	Manning
Daniel	Montgomery
Deen	Moore
Donald	Morse
Dove	Pevehouse
Dwyer	Phillips
Eubank	Reed of Dallas
Fitzgerald	Ridgeway
Goodman	Sallas
Hargis	Shell
Harris of Dallas	Simpson
Harris of Hill	Skiles
Hartzog	Smith of Bastrop
Helpinstill	Spacek
Henderson	Stanford
Hileman	Taylor
Hobbs	Wattner
Howard	White
Hoyo	Winfree

Nays—58

Allen	Crossley
Allison	Davis
Alsup	Dickson of Bexar
Bailey	Ellis
Baker	Ferguson
Blankenship	Files
Brawner	Fuchs
Brown	Gandy
Burkett	Garland
Burnaman	Howington
Carlton	Hughes
Clark	Jones
Coker	Kersey
Connelly	King
Craig	Klingeman

Knight	Pace
Lansberry	Parker
Lehman	Price
Love	Rampy
McAlister	Reed of Bowle
McGlasson	Rhodes
McLellan	Roberts
McMurry	Senterfitt
McNamara	Smith of Atascosa
Markle	Thornton
Martin	Turner
Matthews	Voigt
Morris	Walters
Murray	Weatherford

Absent

Bell	Hardeman
Benton	Huddleston
Bundy	Huffman
Cato	Isaacks
Celaya	Leyendecker
Chambers	Little
Cleveland	Lowry
Dickson of Nolan	Morgan
Duckett	Roark
Evans	Sharpe
Favors	Stinson
Gilmer	Vale
Halsey	Whitesides
Hanna	

Absent—Excused

Bray	Mills
Heflin	Nicholson
Kennedy	Spangler
Lyle	Stubbs
McCann	

Mr. Harris of Hill moved to introduce at this time the following bill:

By Mr. Harris of Hill:

H. B. No. —, A bill to be entitled "An Act to amend Subsection (a) and Subsection (f) of Section 5a of House Bill No. 654, Acts of the Regular Session, Forty-first Legislature, 1929, Chapter 314, page 698, as amended, said House Bill No. 654 of the Forty-first Legislature, as amended, having been amended by Section 4 of House Bill No. 351 of the Regular Session of the Forty-seventh Legislature, by adding thereto Section 5a, Subsection (a) and Subsection (f) of said added Section 5a being amended hereby so as to change only the filing fee required to accompany every application filed with the Commission for an order approving the lease, sale, or transfer of any certificate of convenience and

necessity, from Twenty-five Dollars (\$25.00) to Ten Dollars (\$10.00), and the filing fee required to accompany every application for a certificate of public convenience and necessity from Twenty-five Dollars (\$25.00) to Ten Dollars (\$10.00); and declaring an emergency."

Mr. Boone raised the point of order that the time for the introduction of bills has expired.

The Speaker sustained the point of order.

Mr. Harris of Hill moved to suspend the Rule relative to the introduction of bills to permit the motion at this time.

The motion to suspend the Rule was lost.

**RELATIVE TO HOUSE BILL
NO. 284**

On motion of Mr. Alsup, and by unanimous consent of the House, the Enrolling Clerk of the House was authorized to correct the typographical errors in House Bill No. 284.

**RELATIVE TO HOUSE BILL
NO. 703**

Mr. Bridgers was appointed as conferee on House Bill No. 703 to replace Mr. Isaacks.

NOTICE GIVEN

Mr. Montgomery gave notice that he would on the next legislative day move to take up for consideration at that time, House Bill No. 190, which bill was heretofore laid on the table subject to call.

**BILLS AND RESOLUTIONS SIGNED
BY THE SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 1060, "An Act creating Road District No. 6 of Tyler County, Texas, under authority of Article 3, Section 52, of the Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof;

making it a body corporate and taxing district; describing said district by metes and bounds, etc.; and declaring an emergency."

H. J. R. No. 23, Proposing an amendment to Article 3 of the Constitution of the State of Texas, authorizing the lending of Two Million Dollars (\$2,000,000.00) of the Permanent School Fund for the construction of the State office building, or buildings; providing for repayment to the Permanent School Fund; providing for the submission of this amendment to the voters of this State; and providing for the necessary proclamation and expenses of publication.

H. B. No. 980, "An Act to amend Article 880 of the Penal Code of the State of Texas, as amended by Chapter 47, Acts of the Second Called Session of the Forty-fifth Legislature; and declaring an emergency."

H. B. No. 942, "An Act amending Section 6, Chapter 2, Acts of Forty-second Legislature, Fourth Called Session, as amended by Section 9, Chapter 76, Acts of the Forty-fourth Legislature, Regular Session, and providing that the Railroad Commission shall limit production of crude petroleum oil in this State to the reasonable market demand therefor, providing that the allowable production of oil shall be allocated among the pools in the State by the Railroad Commission; providing that the Railroad Commission shall ascertain the reasonable market demand; providing that certain factors shall be considered by the Railroad Commission in determining reasonable market demand; providing that certain factors shall be considered by the Railroad Commission in allocating and apportioning the allowable production of oil among the pools in this State; and declaring an emergency."

H. B. No. 974, "An Act to amend Section 18, Chapter 41, Acts of the 40th Legislature, First Called Session, as amended by Section 2 of House Bill No. 614, Acts of the Regular Session of the 46th Legislature, to provide that any citizen of Texas wishing to file the record of any birth, not previously registered, may submit such record to the Probate

Court in the county where such person resides rather than where the birth occurred, as now required; and declaring an emergency."

H. B. No. 1043, "An Act granting to the City of Port Arthur, Texas, all right, title and interest of the State of Texas to certain land within said City, and lying adjacent to the Sabine-Neches Canal, and lying between said Canal and Sabine Lake, and commonly known as the Canal Spoil Bank, and granting the said City of Port Arthur right, power and authority to locate, construct, own, lease, sell and maintain upon such land facilities for air ports and other improvements, and granting the said city the right and authority to lease or sell such land and to issue franchises to others covering privileges accorded to the City of Port Arthur, and reserving all mineral rights to the State; and declaring an emergency."

H. B. No. 971, "An Act authorizing cities and towns eligible under the terms of this Act to fund certain indebtedness outstanding on the effective date of this Act; prescribing the method and procedure for issuance of funding or refunding bonds, and which cities or town cannot derive revenues for general fund operating expenses from any publicly owned utilities at this time; validating such outstanding indebtedness not in litigation at the time this Act becomes effective; providing that this Act shall not increase the debt burden of any such city or town; providing that this Act shall be cumulative of all other Acts, but that its provisions shall prevail in the event of conflict with other laws; enacting provisions incident to and relating to the subject; and declaring an emergency."

H. B. No. 64, "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by General or Spe-

cial Law or by County Boards of Trustees, etc.; and declaring an emergency."

H. B. No. 1036, "An Act validating all consolidated rural high school districts having a scholastic population of not less than 250 and not more than 700 according to the last preceding scholastic enumeration, and located in counties having a population of not less than thirty-one thousand one hundred and twenty (31,120) and not more than thirty-one thousand one hundred and thirty (31,130) inhabitants according to the last preceding Federal Census, created by an act of the County Board of Trustees out of a district or districts which had theretofore been a consolidated school district or districts; validating all elections, the levying of taxes, bond issues and taxes levied therefor and all bonds voted but not issued; providing that this Act shall not apply to any district now involved in tax litigation; and declaring an emergency."

H. B. No. 537, "An Act amending Article 779 of the Revised Statutes; providing for the investment of county and road district sinking funds; and declaring an emergency."

H. B. No. 956, "An Act amending Chapter 7, Title 93, of the Revised Civil Statutes of Texas, as amended, by adding a new article to be numbered Article 5708a, providing for the appointment of county sealers and deputy county sealers of weights and measures, at the discretion of the Commissioners Court, in any county having a population of not less than 69,000 and not more than 70,000 according to the last or any succeeding United States Census; providing that the salaries for such county sealers and deputy sealers shall be set by the Commissioners Court and not to be less than \$1,500 a year; providing that no fee shall be charged by such sealers or by the county; defining the authority, duties and responsibilities of such county sealers and deputies; providing that two or more counties, or a county and a city situated therein, may combine the whole or any part of their district, for the purpose of appointing one sealer, upon the writ-

ten consent of the Commissioner of Agriculture; and declaring an emergency."

H. B. No. 1046, "An Act to amend Section 1 of House Bill No. 808 of the Regular Session of the 42nd Legislature, Chapter 69, Special Laws, page 157, as amended by House Bill No. 327 of the Regular Session of the 43rd Legislature, Chapter 34, Special Laws, page 42, providing for the taking of catfish, perch, buffalo and drum in the waters of Delta, Hopkins and Franklin Counties, by hand or with a seine or net having meshes one (1) inch square; and declaring an emergency."

H. B. No. 741, "An Act defining the word person and providing that every director, officer, agent, employee or member of any firm, co-partnership, association or corporation, participating in, aiding or authorizing any violation of this Act shall be subject to the punishment provided herein, etc.; and declaring an emergency."

H. B. No. 199, "An Act to repeal Section 20 of Chapter 76 of Acts 1931, Forty-fourth Legislature, Regular Session, as amended by Section 1, Chapter 15 of Acts 1937, Forty-fifth Legislature, Regular Session, as amended by Section 1 of House Bill No. 831, page 500 of Acts 1939, Forty-sixth Legislature, Regular Session; and declaring an emergency."

H. B. No. 222, "An Act to amend Article 2978, Revised Civil Statutes, 1925, by adding thereto a new article prescribing additional requirements for the official ballot in general elections."

H. B. No. 627, "An Act to amend Section 12 of House Bill No. 821, Chapter 462, page 1144, Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 102, Chapter 41, page 1924, Second Called Session of the Forty-fifth Legislature, as amended by House Bill No. 834, Chapter 1, page 427, Regular Session of the Forty-sixth Legislature, and to add thereto seven new sections to be known as Sections 23a, 23b, 23c, 23d, 23e, 23f and 23g; to authorize housing authorities to acquire by the exercise of the power of eminent domain any

interest in real property; to create housing authorities for counties; to provide for the creation of regional housing authorities; to authorize the undertaking of housing projects for farmers of low income; and declaring an emergency."

H. B. No. 1079, "An Act providing that the Commissioners Court in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, shall compute and fix the maximum annual salary to be paid an officer named in Section 13, of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, where such officers' salary was based upon population under the laws existing on August 24, 1935, on the basis of the population of said county, according to the last preceding Federal Census; provided that the Commissioners Courts in said counties are authorized to fix the maximum annual salary for the balance of the fiscal year 1941 after the effective date of this Act on the basis of the Federal Census of 1940 and thereafter according to the last preceding Federal Census; and declaring an emergency."

H. B. No. 898, "An Act amending Article 122 of the Penal Code of the Revised Statutes of 1925, and declaring an emergency."

H. C. R. No. 116, To grant N. D. Lenamond permission to sue the State.

H. C. R. No. 124, To grant R. W. Dillard and wife permission to sue the State.

H. C. R. No. 209, To grant H. B. McPherson permission to sue the State.

RECESS

Mr. Ferguson moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. McLellan moved that the House recess to 3:00 o'clock p. m., today.

Question recurring on the motion

to adjourn until 10:00 a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—54

Alsup	Jones
Avant	Kinard
Bailey	Knight
Baker	Lock
Blankenship	Lowry
Brawner	McGlasson
Bridgers	Manford
Brown	Martin
Bruhl	Moore
Burnaman	Morris
Carlton	Murray
Cleveland	Pace
Coker	Pevehouse
Crossley	Reed of Bowie
Crosthwait	Reed of Dallas
Dwyer	Rhodes
Ellis	Roberts
Ferguson	Senterfitt
Fitzgerald	Sharpe
Fuchs	Smith of Bastrop
Gandy	Smith of Atascosa
Hanna	Thornton
Harris of Dallas	Turner
Harris of Hill	Walters
Henderson	Wattner
Huddleston	Weatherford
Hughes	Winfree

Nays—67

Allen	Hartzog
Boone	Helpinstill
Bullock	Hileman
Bundy	Hobbs
Burkett	Howard
Carrington	Howington
Cato	Hoyo
Chambers	Humphrey
Clark	Hutchinson
Colson, Mrs.	Kelly
Craig	Kersey
Daniel	King
Davis	Klingeman
Deen	Lansberry
Dickson of Bexar	Lehman
Donald	Little
Dove	Love
Duckett	Lucas
Eubank	McDonald
Evans	McLellan
Files	McMurry
Garland	McNamara
Gilmer	Manning
Goodman	Markle
Halsey	Matthews
Hargis	Montgomery

Morgan
Morse
Parker
Phillips
Price
Rampy
Ridgeway
Sallas

Simpson
Skiles
Spacek
Stanford
Stinson
Taylor
Voigt

Absent

Allison	Huffman
Bean	Leyendecker
Bell	McAlister
Benton	Roark
Celaya	Shell
Connelly	Vale
Dickson of Nolan	White
Favors	Whitesides
Hardeman	

Absent—Excused

Bray	McCann
Heflin	Mills
Kennedy	Nicholson
Isaacks	Spangler
Lyle	Stubbs

Question then recurring on the motion to recess, it prevailed and the House accordingly, at 1:20 o'clock p. m., took recess to 3:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Hon. C. H. Gilmer.

LEAVES OF ABSENCE
GRANTED

Mr. Henderson for this afternoon, on account of important business, on motion of Mr. McGlasson.

Mr. Daniel temporarily for this afternoon, on account of important business, on motion of Mr. Humphrey.

Mr. Boone for this afternoon, on account of illness, on motion of Mr. Love.

Mr. Kinard temporarily for this afternoon, on account of important State business, on motion of Mr. Smith of Atascosa.

Mr. Isaacks for this afternoon and the balance of the week, on account of important business, on motion of Mr. Bridgers.

Mr. Leyendecker for this afternoon, on account of illness, on motion of Mr. Bridgers.

Mr. Craig for this afternoon, on account of important business, on motion of Mr. Thornton.

Mr. Brawner for this afternoon, on account of important business, on motion of Mr. Burkett.

Mr. Kersey for this afternoon and the balance of the week, on account of important business, on motion of Mr. Morse.

Mr. Ellis for this afternoon, on account of important business, on motion of Mr. Bailey.

SENATE BILL NO. 93 ON
THIRD READING

The Chair laid before the House, on its third reading and final passage,

S. B. No. 93, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 135, Acts 1939, 46th Legislature, Chapter 6, so as to except therefrom associations not operated for profit, composed only of the members of a particular religious denomination which do not provide insurance benefits in excess of One Thousand (\$1,000.00) Dollars on any one person, etc.; and declaring an emergency."

The bill was read third time.

Mr. Lansberry called for a full reading of the bill.

Mr. Ferguson moved to dispense with the full reading of the bill.

Question recurring on the motion by Mr. Ferguson, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—64

Allen	Cato
Avant	Chambers
Baker	Coker
Bean	Colson, Mrs.
Bell	Connelly
Benton	Dickson of Bexar
Bridgers	Donald
Bullock	Dove
Carlton	Duckett
Carrington	Evans

Ferguson	Lucas
Files	McDonald
Fitzgerald	McGlasson
Fuchs	McLellan
Garland	Markle
Goodman	Moore
Hardeman	Pace
Hargis	Phillips
Harris of Dallas	Rampy
Harris of Hill	Reed of Bowie
Hartzog	Reed of Dallas
Helpinstill	Ridgeway
Hileman	Rhodes
Hobbs	Sallas
Howington	Senterfitt
Hutchinson	Simpson
Jones	Smith of Bastrop
King	Stanford
Knight	Taylor
Leyendecker	Turner
Lock	Voigt
Love	Whitesides

Nays—35

Alsup	Lehman
Bailey	Little
Blankenship	Lowry
Burkett	McAlister
Clark	McMurry
Craig	McNamara
Crossley	Matthews
Deen	Parker
Ellis	Price
Favors	Roberts
Hanna	Skiles
Hoyo	Spacek
Hughes	Thornton
Humphrey	Walters
Kelly	Wattner
Kersey	White
Kinard	Winfree
Lansberry	

Present—Not Voting

Howard	Martin
--------	--------

Absent

Allison	Huddleston
Brawner	Huffman
Brown	Klingeman
Bruhl	Manford
Bundy	Montgomery
Burnaman	Morgan
Celaya	Morris
Cleveland	Morse
Davis	Murray
Dickson of Nolan	Pevehouse
Dwyer	Roark
Eubank	Sharpe
Gandy	Shell
Halsey	Smith of Atascosa

Stinson	Weatherford
Vale	

Absent—Excused

Boone	Lyle
Bray	McCann
Crosthwait	Manning
Daniel	Mills
Heflin	Nicholson
Henderson	Spangler
Isaacks	Stubbs
Kennedy	

Mr. Kersey moved a call of the House for the purpose of maintainnig a quorum, and the call was duly ordered.

Mr. Reed of Dallas moved to reconsider the vote by which the call of the House was ordered.

Mr. Bean moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—41

Bean	Lock
Burkett	Love
Carrington	Lowry
Cato	Lucas
Coker	McLellan
Colson, Mrs.	McMurry
Craig	Martin
Crossley	Matthews
Donald	Morse
Duckett	Phillips
Favors	Rampy
Fuchs	Rhodes
Hardeman	Roberts
Harris of Dallas	Spacek
Hobbs	Stanford
Hoyo	Taylor
Huddleston	Thornton
Hutchinson	White
Kersey	Whitesides
King	Winfree
Little	

Nays—62

Allen	Bridgers
Alsup	Brown
Avant	Bullock
Bailey	Burnaman
Baker	Carlton
Bell	Chambers
Benton	Cleveland

Connelly	Knight
Deen	Lansberry
Dickson of Bexar	Leyendecker
Dove	McDonald
Ellis	McGlasson
Eubank	McNamara
Evans	Markle
Ferguson	Moore
Fitzgerald	Morgan
Gandy	Morris
Garland	Murray
Goodman	Pace
Halsey	Parker
Hanna	Price
Hargis	Reed of Bowie
Harris of Hill	Reed of Dallas
Hartzog	Ridgeway
Helpinstill	Sallas
Hileman	Senterfitt
Howington	Simpson
Hughes	Smith of Bastrop
Humphrey	Walters
Jones	Wattner
Kelly	Weatherford

Absent

Allison	Lehman
Blankenship	McAlister
Brawner	Manford
Bruhl	Montgomery
Bundy	Pevehouse
Celaya	Roark
Clark	Sharpe
Davis	Shell
Dickson of Nolan	Skiles
Dwyer	Smith of Atascosa
Files	Stinson
Howard	Turner
Huffman	Vale
Klingeman	Voigt

Absent—Excused

Boone	Kinard
Bray	Lyle
Crosthwait	McCann
Daniel	Manning
Heflin	Mills
Henderson	Nicholson
Isaacks	Spangler
Kennedy	Stubbs

Question then recurring on the motion to reconsider the vote by which the call of the House was ordered, yeas and nays were demanded.

(Mr. Morse in the Chair.)

The roll of the House was called and the vote announced, as follows: Yeas, 61; nays, 37.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follow:

Yeas—59

Allen	Jones
Alsup	Klingeman
Avant	Knight
Benton	Lansberry
Bridgers	Little
Brown	Love
Bullock	McDonald
Carlton	McGlasson
Carrington	McLellan
Chambers	McMurry
Cleveland	Markle
Deen	Martin
Dickson of Bexar	Morris
Ellis	Murray
Evans	Phillips
Favors	Price
Ferguson	Reed of Bowie
Fuchs	Reed of Dallas
Gandy	Rhodes
Goodman	Sallas
Halsey	Senterfitt
Hanna	Simpson
Hargis	Skiles
Harris of Dallas	Smith of Bastrop
Hartzog	Stanford
Helpinstill	Walters
Hileman	Wattner
Howington	White
Hughes	Winfree
Humphrey	

Nays—37

Baker	King
Bean	Lehman
Bell	Lock
Burkett	Lowry
Cato	Lucas
Coker	McNamara
Colson, Mrs.	Matthews
Connelly	Moore
Crossley	Morgan
Donald	Pace
Duckett	Parker
Garland	Rampy
Hardeman	Ridgeway
Harris of Hill	Roberts
Hobbs	Spacek
Hoyo	Thornton
Hutchinson	Weatherford
Kelly	Whitesides
Kersey	

Present—Not Voting

Bundy	Dwyer
Davis	Fitzgerald

Huddleston
Shell

Taylor

Absent

Allison
Bailey
Blankenship
Brawner
Bruhl
Burnaman
Celaya
Clark
Craig
Dickson of Nolan
Dove
Eubank
Files
GilmerHoward
Huffman
Leyendecker
McAlister
Manford
Montgomery
Pevehouse
Roark
Sharpe
Smith of Atascosa
Stinson
Turner
Vale
Voigt

Absent—Excused

Boone
Bray
Crosthwait
Daniel
Heflin
Henderson
Isaacks
KennedyKinard
Lyle
McCann
Manning
Mills
Nicholson
Spangler
Stubbs

The Chair announced that the motion to reconsider the vote for the call of the House prevailed.

Question: Shall the call of the House be ordered?

The motion was lost.

Senate Bill No. 93 was then passed by the following vote:

Yeas—93

Allen
Alsup
Avant
Bean
Bell
Benton
Blankenship
Bridgers
Brown
Burkett
Carlton
Carrington
Cato
Chambers
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
CrossleyDaniel
Davis
Deen
Dickson of Bexar
Donald
Dove
Duckett
Dwyer
Ellis
Eubank
Evans
Favors
Ferguson
Files
Fuchs
Garland
Hardeman
Hargis
Harris of Dallas
HartzogHelpinstill
Hileman
Hobbs
Howington
Hoyo
Hughes
Humphrey
Hutchinson
Jones
Kelly
Kersey
King
Knight
Lansberry
Lehman
Little
Lock
Love
Lucas
McDonald
McGlasson
McLellan
McMurry
McNamara
Markle
Martin
MatthewsMontgomery
Moore
Morgan
Morris
Morse
Murray
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Shell
Simpson
Skiles
Spacek
Stanford
Taylor
Voigt
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—7

Goodman
Lowry
Pace
ParkerSallas
Senterfitt
Smith of Atascosa

Present—Not Voting

Allison
Bailey
Baker
Bullock
Bundy
Craig
Fitzgerald
Gandy
HannaHarris of Hill
Howard
Huddleston
Klingeman
McAlister
Manford
Roberts
Smith of Bastrop
Thornton

Absent

Brawner
Bruhl
Burnaman
Celaya
Dickson of Nolan
Gilmer
HalseyHuffman
Pevehouse
Roark
Sharpe
Stinson
Turner
Vale

Absent—Excused

Boone
Bray
Crosthwait
Heflin
Henderson
IsaacksKennedy
Kinard
Leyendecker
Lyle
McCann
Manning

Mills
Nicholson

Spangler
Stubbs

Mr. McLellan moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

**PROVIDING FOR CERTAIN RE-
CESS AND SINE DIE AD-
JOURNMENT**

Mr. Taylor offered the following resolution:

H. C. R. No. 262, Providing for Certain Recess and Sine Die Adjournment.

Be it resolved by the House of Representatives, the Senate concurring, That on June 21st, 1941, the Legislature do recess during the period from that date until July 15th, 1941, at 10:00 a. m., when it shall again convene at the State Capitol;

Be it further resolved, That during said period of recess the Members of the Legislature shall draw no per diem for their services and that all employees of both branches of the Legislature be discharged from service and that the elective officers of the House and the Senate be allowed no salary during such recess except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain;

Be it further resolved, That the Regular Session of the 47th Legislature stand adjourned sine die on July 18th, 1941, at 12 noon.

The resolution was read second time and was adopted by the following vote:

Yeas—69

Allen
Allison
Alsup
Bean
Bell
Benton
Brawner
Bridgers
Brown
Bullock
Bundy
Carlton
Carrington
Cato
Clark

Coker
Colson, Mrs.
Connelly
Crossley
Dwyer
Ellis
Eubank
Evans
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Gilmer
Halsey

Hardeman
Hargis
Hartzog
Howard
Kelly
Kersey
Kinard
Lansberry
Lehman
Little
Lock
Love
McAlister
McDonald
McGlasson
McLellan
McNamara
Martin
Montgomery
Moore

Morris
Morse
Murray
Phillips
Reed of Dallas
Rhodes
Shell
Skiles
Smith of Atascosa
Spacek
Stanford
Taylor
Thornton
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—47

Avant
Bailey
Baker
Blankenship
Burkett
Craig
Daniel
Davis
Deen
Dickson of Bexar
Donald
Duckett
Favors
Goodman
Hanna
Harris of Dallas
Helpinstill
Hileman
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson

Jones
King
Klingeman
Knight
Lowry
Lucas
McMurry
Manford
Markle
Matthews
Morgan
Pace
Parker
Price
Rampy
Reed of Bowie
Ridgeway
Roberts
Sallas
Senterfitt
Simpson
Smith of Bastrop
Stinson

Absent

Bruhl
Burnaman
Celaya
Chambers
Cleveland
Dickson of Nolan
Dove
Garland
Harris of Hill

Hobbs
Huffman
Pevehouse
Roark
Sharpe
Turner
Vale
Voigt

Absent—Excused

Boone
Bray
Crosthwait

Heflin
Henderson
Isaacks

Kennedy
Leyendecker
Lyle
McCann
Manning

Mills
Nicholson
Spangler
Stubbs

Mr. Taylor moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 175 ON THIRD READING

The Chair laid before the House, on its third reading and final passage,

S. B. No. 175, A bill to be entitled "An Act declaring the floods of Fayette County, Texas, to be a public calamity, etc.; and declaring an emergency."

The bill was read third time.

Mr. Wattner offered the following amendment to the bill:

Amend Senate Bill No. 175 by striking out the words and figures "ten (10)" wherever they appear and insert in lieu thereof the following words and figures "five (5)."

Mr. Bell moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—55

Alsup	Helpinstill
Avant	Hobbs
Bean	Howard
Bell	Hoyo
Carrington	Huddleston
Cato	Hutchinson
Clark	Jones
Coker	Kersey
Colson, Mrs.	Kinard
Daniel	Klingeman
Dickson of Bexar	Knight
Donald	Lock
Duckett	Love
Dwyer	Lowry
Favors	Lucas
Fitzgerald	McAlister
Hargis	McDonald
Hartzog	McGlasson

McLellan
McMurry
McNamara
Manford
Markle
Martin
Montgomery
Murray
Pace
Phillips

Rampy
Sallas
Shell
Smith of Bastrop
Spacek
Stanford
Taylor
Whitesides
Winfree

Nays—48

Allen	Hughes
Allison	Humphrey
Bailey	King
Benton	Lansberry
Blankenship	Lehman
Brawner	Matthews
Bundy	Moore
Burkett	Morgan
Burnaman	Morris
Carlton	Parker
Chambers	Price
Connelly	Reed of Bowie
Crossley	Reed of Dallas
Davis	Ridgeway
Ellis	Rhodes
Ferguson	Roberts
Files	Senterfitt
Fuchs	Simpson
Gandy	Smith of Atascosa
Gilmer	Stinson
Hanna	Thornton
Harris of Dallas	Voigt
Hileman	Wattner
Howington	Weatherford

Present—Not Voting

Bridgers	Kelly
Bullock	White
Goodman	

Absent

Baker	Hardeman
Brown	Harris of Hill
Bruhl	Huffman
Celaya	Little
Cleveland	Pevehouse
Deen	Roark
Dickson of Nolan	Sharpe
Dove	Skiles
Eubank	Turner
Evans	Vale
Garland	Walters
Halsey	

Absent—Excused

Boone	Crosthwait
Bray	Heflin
Craig	Henderson

Isaacks
Kennedy
Leyendecker
Lyle
McCann

Manning
Mills
Nicholson
Spangler
Stubbs

Senate Bill No. 175 failed to pass
by the following vote:

Yeas—52

Avant	Huddleston
Bean	Hutchinson
Bell	Kersey
Brown	Kinard
Burnaman	Lock
Carrington	Love
Chambers	Lowry
Clark	Lucas
Coker	McAlister
Colson, Mrs.	McDonald
Connelly	McLellan
Daniel	McMurry
Deen	McNamara
Dickson of Bexar	Markle
Donald	Montgomery
Duckett	Morse
Dwyer	Pace
Favors	Phillips
Fitzgerald	Rampy
Gilmer	Sallas
Hargis	Shell
Hartzog	Smith of Bastrop
Helpinstill	Spacek
Hobbs	Taylor
Howard	Whitesides
Hoyo	Winfree

Nays—59

Allen	Harris of Hill
Allison	Hileman
Alsup	Howington
Bailey	Hughes
Baker	Humphrey
Benton	Jones
Blankenship	Kelly
Bullock	King
Bundy	Klingeman
Burkett	Knight
Carlton	Lansberry
Crossley	Lehman
Davis	McGlasson
Ellis	Martin
Ferguson	Matthews
Files	Morgan
Fuchs	Morris
Gandy	Murray
Garland	Parker
Goodman	Price
Halsey	Reed of Bowie
Hanna	Reed of Dallas
Harris of Dallas	Ridgeway

Rhodes
Roberts
Senterfitt
Simpson
Skiles
Smith of Atascosa
Stanford

Stinson
Thornton
Voigt
Walters
Wattner
Weatherford

Present—Not Voting

Cato
Manford

White

Absent

Bridgers	Huffman
Bruhl	Little
Celaya	Moore
Cleveland	Pevehouse
Dickson of Nolan	Roark
Dove	Sharpe
Eubank	Turner
Evans	Vale
Hardeman	

Absent—Excused

Boone	Leyendecker
Brawner	Lyle
Bray	McCann
Craig	Manning
Crosthwait	Mills
Heflin	Nicholson
Henderson	Spangler
Isaacks	Stubbs
Kennedy	

Mr. Hanna moved to reconsider
the vote by which the bill failed to
pass and to table the motion to re-
consider.

The motion to table was lost.

Question: Shall the motion to re-
consider prevail?

ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
HOUSE BILL NO. 1084

Mr. Kinard submitted the follow-
ing Conference Committee report on
House Bill No. 1084:

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of
the House;

Hon. Coke R. Stevenson, President
of the Senate.

Sirs: We, your Conference Com-
mittee appointed to adjust the dif-
ferences between the House and Sen-
ate on House Bill No. 1084, have met
and beg leave to recommend that

said House Bill No. 1084 be passed in the form hereto attached.

Respectfully submitted,

KINARD,
BURNAMAN,
HARGIS,
COKER,
LOCK,

On the part of the House.

SHIVERS,
RAMSEY,
MOORE,
WEINERT,
YORK.

On the part of the Senate.

H. B. No. 1084,

A BILL

To Be Entitled

An Act to amend Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, as amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, so as to change Section 3 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors of the Lower Neches Valley Authority shall consist of nine (9) instead of seven (7) members, all of whom shall be freehold property taxpayers and legal voters of the State of Texas, and providing that such nine (9) directors shall be appointed by the State Board of Water Engineers, three (3) members thereof to be appointed for a term of two (2) years, three (3) members thereof to be appointed for a term of four (4) years, and three (3) members thereof to be appointed for a term of six (6) years; and to change Section 4 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors shall organize by electing one of its members president, one vice-president, one treasurer, and one secretary, and providing that five (5) directors shall constitute a quorum at any meeting, and a concurrence of a majority of those present shall be sufficient in all matters pertaining to the business of the district except the letting

of construction contracts and the authorization of issuance of warrants paying therefor, which shall require the concurrence of seven (7) directors; and to change Section 16 of said Chapter 63 so that in addition to its other provisions, it will hereafter provide that for any corporate purpose said district may borrow money from the Federal Emergency Administration of Public Works of the United States or from any other department or agency of the United States, or from any other source, and in evidence thereof may issue the notes, warrants, certificates of indebtedness, bonds, or other forms of obligations of such district; and to change Section 23 of said Chapter 63 so that the same shall hereafter provide, in addition to its other provisions, that the Board of Directors may in its discretion have executed in favor of the holders of the district's obligations an indenture mortgaging and encumbering the improvements, facilities and properties acquired with the proceeds of the sale of such obligations, and/or all of the improvements, facilities, and properties of the district, and that such indenture may likewise mortgage and encumber the revenues to be derived from the operation of such improvements, facilities, and properties; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Section 3, of Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, as amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, be and the same is hereby amended so as to hereafter read as follows:

"Sec. 3. The management and control of all the affairs of such district shall be vested in a Board of Directors, consisting of nine (9) members, all of whom shall be freehold property taxpayers and legal voters of the State of Texas. Such nine (9) directors shall be appointed by the State Board of Water Engineers as soon as practicable after the passage of this Act, three (3) mem-

bers thereof to be appointed for a term of two (2) years, three (3) members thereof to be appointed for a term of four (4) years, and three (3) members thereof to be appointed for a term of six (6) years, and upon the expiration of the respective terms of said directors the successors of each and all of them shall be appointed thereafter for a term of six (6) years. The directors shall hold office after their appointment and qualification until their successors shall be appointed and qualify, unless sooner removed by majority vote of the State Board of Water Engineers. Should any vacancy occur in the Board of Directors, the same shall be filled in like manner by the State Board of Water Engineers for the unexpired term. The directors appointed shall within fifteen (15) days after their appointment qualify by taking the official oath and filing a good and sufficient bond with the State Board of Water Engineers; the official bond of each director to be in the sum of Five Thousand Dollars (\$5,000), shall be payable to the district, shall be conditioned upon the faithful performance of their duties as such directors, and shall be subject to approval by the State Board of Water Engineers. A director may be employed as general manager and at such compensation as may be fixed by the majority of the other directors, and when so employed he shall continue to perform the duties of a director, but shall receive no compensation as such director."

Sec. 2. That Section 4 of said Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, be and the same is hereby amended so as to hereafter read as follows:

"Sec. 4. The directors of the district shall organize by electing one of their members president, one vice president, one treasurer and one secretary. Five (5) directors shall constitute a quorum at any meeting and a concurrence of a majority of those present shall be sufficient in all matters pertaining to the business of the district, except the letting of construction contracts and the authorization of issuance of warrants paying therefor, which shall require the con-

currence of seven (7) directors. Warrants for the payment of money may be drawn and signed by two (2) officers or employees designated by standing order entered on the minutes of the directors when such accounts have been contracted and ordered paid by the Board of Directors."

Sec. 3. That Section 16, of said Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, be and the same is hereby amended so as to hereafter read as follows:

"Sec. 16. Said district may borrow money for any corporate purpose from the Federal Emergency Administration of Public Works of the United States, or from any other department or agency of the United States, or from any other source, and in evidence thereof may issue the notes, warrants, bonds, certificates of indebtedness, or other forms of obligations of such district, payable solely out of the revenues to be derived from said improvements and facilities and the operations and services thereof."

Sec. 4. That Section 23, of said Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, be and the same is hereby amended so as to hereafter read as follows:

"Sec. 23. As additional security for the payment of any obligations issued hereunder, the Board of Directors may in its discretion have executed in favor of the holders of such obligations an indenture mortgaging and encumbering the improvements, facilities, and properties acquired with the proceeds of the sale of such obligations, and/or all of the improvements, facilities and properties of the district, which indenture may likewise mortgage and encumber the revenues to be derived from the operation of such improvements, facilities and properties, and may provide in such encumbrance for a grant to any purchaser or purchasers at foreclosure sale thereunder of a franchise to operate such improvements, facilities and properties for a term of not over fifty (50) years from the date

of such purchase, subject to all law regulating same then in force. Any such indenture may contain such terms and provisions as the Board of Directors shall deem proper and shall be enforceable in the manner provided by the laws of Texas for the enforcement of other mortgages and encumbrances. Under any sale ordered pursuant to the provisions of such mortgage or encumbrance, the purchaser or purchasers at such sale, and his or their successors or assigns, shall be and hereby are vested with a permit and franchise to maintain and operate the improvements, facilities and properties purchased at such sale with like powers and privileges as may theretofore have been enjoyed by the district in the operation of said improvements, facilities and properties. The purchaser or purchasers of such improvements, facilities and properties at any such sale, and his or their successors and assigns, may operate said improvements, facilities and properties as provided in the last above sentence or may at their option remove all or part of said improvements, facilities and properties for diversion to other purposes. Any statutes of the State of Texas pertaining to the granting of franchise shall not be applicable to the authorization or execution of any mortgage or encumbrance entered into pursuant to the provisions of this Act, nor to the granting of any franchise hereunder."

Sec. 5. The importance of this legislation to the section of the State affected thereby creates an emergency and an imperative public necessity that the Constitutional Rule, requiring bills to be read on three several days shall be, and the same is hereby suspended, and this Act shall take effect and be in force from and after the passage thereof, and it is so enacted.

On motion of Mr. Kinard, the report was adopted by the following vote:

Yeas—104

Allen	Blankenship
Allison	Bridgers
Alsup	Brown
Baker	Bullock
Bell	Bundy
Benton	Burkett

Burnaman	Lock
Carlton	Love
Carrington	Lowry
Cato	Lucas
Chambers	McAlister
Clark	McDonald
Coker	McGlasson
Colson, Mrs.	McLellan
Connelly	McMurry
Daniel	McNamara
Davis	Manford
Deen	Markle
Dickson of Bexar	Martin
Donald	Matthews
Duckett	Montgomery
Dwyer	Moore
Ferguson	Morris
Files	Murray
Fitzgerald	Pace
Fuchs	Phillips
Gandy	Price
Gilmer	Reed of Bowie
Goodman	Reed of Dallas
Hanna	Ridgeway
Hargis	Rhodes
Harris of Dallas	Roark
Hartzog	Roberts
Helpinstill	Sallas
Hileman	Senterfitt
Hobbs	Shell
Howard	Simpson
Howington	Skiles
Hoyo	Smith of Bastrop
Huddleston	Smith of Atascosa
Hughes	Spacek
Humphrey	Stanford
Hutchinson	Stinson
Jones	Taylor
Kelly	Thornton
Kersey	Voigt
Kinard	Walters
King	Wattner
Klingeman	Weatherford
Knight	White
Lansberry	Whitesides
Lehman	Winfree

Present—Not Voting

Bailey	Morgan
Harris of Hill	

Absent

Avant	Evans
Bean	Favors
Bruhl	Garland
Celaya	Halsey
Cleveland	Hardeman
Crossley	Huffman
Dickson of Nolan	Little
Dove	Parker
Eubank	Pevehouse

Rampy
Sharpe

Turner
Vale

Absent—Excused

Boone
Brawner
Bray
Craig
Crosthwait
Ellis
Heflin
Henderson
Isaacks

Kennedy
Leyendecker
Lyle
McCann
Manning
Mills
Nicholson
Spangler
Stubbs

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 670

Mr. Thornton submitted the following Conference Committee report on House Bill No. 670:

Austin, Texas.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the Senate and the House on House Bill No. 670, have had the same under consideration, and beg leave to report it back to the Senate and House with the recommendation that said bill be adopted in the form attached hereto.

Respectfully submitted,

SULAK,
RAMSEY,
WEINERT,
MOORE,
METCALFE,

On the part of the Senate.

THORNTON,
REED of Bowie,
HANNA,
EUBANK,
KENNEDY,

On the part of the House.

Conference Committee substitute for House Bill No. 670:

H. B. No. 670,

A BILL

To Be Entitled

An Act to establish and maintain an Agricultural Experiment Station for the development of dairy, poultry and truck crops in the First Senatorial District of Texas, au-

thorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station and empowering said Board of Directors to establish and maintain the same; to accept donations of land, water and money for establishing said station and for the operation of same; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the Board of Directors of the Agricultural and Mechanical College of Texas are hereby authorized and empowered to establish and maintain a Dairy Experiment Station in the First Senatorial District of Texas for the purpose of making scientific investigations and experiments in the study of the grazing, feeding, pasturage, land maintenance; the study of economics in the production and utilization of feeds, and other problems of dairying, applicable to Northeast Texas.

Sec. 2. The Board of Directors of the Agricultural and Mechanical College of Texas are hereby authorized and empowered to secure a suitable site for the location of said Dairy Experiment Station to be located in the First Senatorial District. Said Board of Directors are authorized to accept donations of land, water rights, and money for the establishment and maintenance of said Station and to use any appropriations which are hereafter made for the erection of necessary buildings, and for the equipment and maintenance of said Station.

Sec. 3. The Dairy Experiment Station herein provided for shall be under the direction and supervision of the Board of Directors of the Agricultural and Mechanical College of Texas, and shall be operated and conducted by the Directors of Experiment Station, as all other State Experiment Stations are now conducted.

Sec. 4. The fact that the production of milk and all other dairy products is the most feasible and practical method in bringing about the development of agriculture in Northeast Texas, which is so necessary to the economic well being in that region, and the further fact

that the farmers of Northeast Texas are not fully acquainted with the best accepted methods of carrying on dairying and meeting the problems with which they are confronted in feeding, pasturage, and land maintenance create an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule which requires all bills to be read on three several days, and the Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Thornton, the report was adopted by the following vote:

Yeas—87

Allison	Hutchinson
Alsup	Kelly
Avant	Kersey
Bean	Kinard
Bell	Klingeman
Blankenship	Lehman
Bridgers	Lock
Brown	Lowry
Bullock	Lucas
Burnaman	McDonald
Carlton	McGlasson
Carrington	McLellan
Cato	McMurry
Chambers	Manford
Clark	Markle
Cleveland	Matthews
Coker	Montgomery
Colson, Mrs.	Moore
Connelly	Morgan
Crossley	Morris
Daniel	Morse
Deen	Pace
Dickson of Bexar	Parker
Donald	Phillips
Duckett	Price
Dwyer	Rampy
Favors	Reed of Bowie
Ferguson	Ridgeway
Files	Sallas
Fitzgerald	Shell
Gilmer	Simpson
Goodman	Skiles
Halsey	Smith of Bastrop
Hargis	Spacek
Harris of Hill	Stanford
Hartzog	Stinson
Helpinstill	Taylor
Hileman	Thornton
Hobbs	Voigt
Howard	Walters
Hoyo	Weatherford
Huddleston	White
Humphrey	Whitesides

Winfree

Nays—21

Bailey	Hughes
Benton	King
Bundy	Knight
Burkett	Love
Davis	McAlister
Ellis	Martin
Fuchs	Rhodes
Hanna	Roberts
Hardeman	Senterfitt
Harris of Dallas	Smith of Atascosa
Howington	

Present—Not Voting

Gandy	Murray
Jones	Wattner
Lansberry	

Absent

Allen	Huffman
Baker	Little
Bruhl	McNamara
Celaya	Pevehouse
Dickson of Nolan	Reed of Dallas
Dove	Roark
Eubank	Sharpe
Evans	Turner
Garland	Vale

Absent—Excused

Boone	Leyendecker
Brawner	Lyle
Bray	McCann
Craig	Manning
Crosthwait	Mills
Heflin	Nicholson
Henderson	Spangler
Isaacks	Stubbs
Kennedy	

Mr. Lowry moved to reconsider the vote by which the report was adopted and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 166, A bill to be entitled "An Act to amend Articles 4557, etc., requiring all persons desiring to practice optometry in Texas to pass an examination, etc.; and de-

declaring an emergency." (With amendments.)

H. B. No. 1091, A bill to be entitled "An Act to amend Article 6377 of the Revised Civil Statutes of Texas, 1925, which regulates the equipment in passenger trains, etc.; and declaring an emergency."

Adopted

H. C. R. No. 255, Suspending Joint Rules so that the House may take up and consider H. B. No. 161 on Thursday, June 19th.

The Senate has adopted the Conference Committee report on House Bill No. 670 by the following vote: Yeas, 28; nays, 0.

The Senate has adopted the Conference Committee report on House Bill No. 1084 by the following vote: Yeas, 28; nays, 0.

Has concurred in House amendments to Senate Bill No. 379 by a viva voce vote.

Passed

H. B. No. 312, A bill to be entitled "An Act amending Article 2843 of the Revised Civil Statutes (1925) providing for a uniform free textbook system; and declaring an emergency." (With amendments.)

H. B. No. 376, A bill to be entitled "An Act making appropriation of a certain sum of money to pay taxes due by the State to a certain independent school district; and declaring an emergency."

H. B. No. 740, A bill to be entitled "An Act making appropriation to be paid out of the General Revenue Fund of the State of Texas, to cover taxes due by the State of Texas to Walker County, etc.; and declaring an emergency."

H. B. No. 1061, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 41, Acts of the Forty-second Legislature, Regular Session, defining group life insurance, etc.; and declaring an emergency." (With amendments.)

H. B. No. 1081, A bill to be entitled "An Act to prohibit the use of a seine or net for taking fish in Brown County, etc.; and declaring an emergency."

Adopted

H. C. R. No. 242, Requesting officials of the State of Texas and the President of the United States to use all of their efforts to make available to South Texas during the cotton picking season from 5,000 to 7,000 common laborers. (With amendments.)

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 336 ON
SECOND READING

Mrs. Colson moved that the necessary Rules be suspended, for the purpose of taking up and considering, at this time, Senate Bill No. 336.

The motion prevailed.

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 336, A bill to be entitled "An Act to provide that the Texas Prison Board shall maintain schools in all of the penitentiaries and penitentiary farms of the State of Texas, providing for compulsory attendance of illiterates, a program of academic and vocational education, and hours of attendance; providing that the State Superintendent of Public Instruction shall supply text books; and declaring an emergency."

The bill was read second time.

Mr. Kelly offered the following committee amendment to the bill:

Amend Senate Bill No. 336 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. The Texas Prison Board shall cause all illiterates to receive instruction the equal of not less than five (5) nor more than eight (8) hours per week and all other prisoners may, at their option, receive academic or vocational instruction at such hours. The hours fixed for such instruction shall be other than those now fixed by law for labor. Nothing herein contained shall prevent the literate prisoners from enrolling in academic instruction or special occupational or vocational instruction as now provided for by the Texas Prison Board.

Sec. 2. Each prisoner attending such instruction in good faith shall be allowed as a credit on the term of his sentence one hour additional for each hour in attendance of school classes.

Sec. 3. It shall be the duty of the Educational Director of the Prison System to organize and direct a standard program of academic and vocational education, under the direction of the Texas Prison Board, and supervise the same after organization. Prisoners, with the aid of the Educational Director, shall be the teachers and instructors.

Sec. 4. The Texas Prison Board is hereby authorized to, and shall prescribe and promulgate such rules and regulations as may be necessary to make the provisions of this Act effective, but said Texas Prison Board shall not be required to build any additional buildings for this purpose. Upon the request of the Texas Prison Board, it shall be the duty of the State Superintendent of Public Instruction to supply without cost a sufficient number of current State adopted text books for said instruction.

Sec. 5. If any part or parts of this Act shall be held to be unconstitutional such unconstitutionality shall not affect the validity of the remaining parts of this Act. The Legislature hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts thereof would be declared unconstitutional.

Sec. 6. All laws or parts of laws in conflict herewith are hereby expressly repealed.

Sec. 7. The fact that there is not now any provision made for the teaching of illiterates confined in the penitentiary of this State, and the further fact that no text books are available to the Prison System, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 336 was then passed to third reading.

SENATE BILL NO. 336 ON THIRD READING

Mrs. Colson moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 336 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Allen	Hanna
Allison	Hardeman
Alsup	Hargis
Avant	Harris of Dallas
Bailey	Harris of Hill
Baker	Hartzog
Bean	Helpinstill
Bell	Hileman
Benton	Hobbs
Blankenship	Howard
Bridgers	Howington
Brown	Hoyo
Bullock	Huddleston
Bundy	Hughes
Burkett	Humphrey
Burnaman	Hutchinson
Carlton	Jones
Carrington	Kelly
Cato	Knight
Chambers	Lansberry
Clark	Lehman
Cleveland	Little
Coker	Lock
Colson, Mrs.	Love
Connelly	Lowry
Crossley	Lucas
Daniel	McAlister
Deen	McDonald
Dickson of Bexar	McGlasson
Dove	McLellan
Duckett	McMurry
Dwyer	McNamara
Favors	Manford
Ferguson	Markle
Files	Martin
Fitzgerald	Matthews
Fuchs	Montgomery
Gandy	Moore
Garland	Morgan
Gilmer	Morris
Goodman	Morse
	Murray

Pace	Skiles
Parker	Smith of Bastrop
Phillips	Smith of Atascosa
Price	Spacek
Rampy	Stanford
Reed of Bowie	Stinson
Reed of Dallas	Taylor
Ridgeway	Thornton
Rhodes	Voigt
Roberts	Walters
Sallas	Wattner
Senterfitt	White
Shell	Whitesides
Simpson	Winfree

Nays—1

King

Absent

Bruhl	Huffman
Celaya	Klingeman
Davis	Pevehouse
Dickson of Nolan	Roark
Donald	Sharpe
Eubank	Turner
Evans	Vale
Halsey	Weatherford

Absent—Excused

Boone	Kersey
Brawner	Kinard
Bray	Leyendecker
Craig	Lyle
Crosthwait	McCann
Ellis	Manning
Heflin	Mills
Henderson	Nicholson
Isaacks	Spangler
Kennedy	Stubbs

The Chair then laid Senate Bill No. 336 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111

Allen	Burkett
Allison	Burnaman
Alsup	Carlton
Avant	Carrington
Bailey	Cato
Baker	Chambers
Bean	Clark
Bell	Cleveland
Benton	Coker
Blankenship	Colson, Mrs.
Bridgers	Connelly
Brown	Crossley
Bullock	Daniel
Bundy	Deen

Dickson of Bexar	McLellan
Dove	McMurry
Duckett	McNamara
Dwyer	Manford
Favors	Markle
Ferguson	Martin
Files	Matthews
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morgan
Garland	Morris
Gilmer	Morse
Goodman	Murray
Hanna	Pace
Hardeman	Parker
Hargis	Phillips
Harris of Dallas	Price
Harris of Hill	Rampy
Hartzog	Reed of Bowie
Helpinstill	Reed of Dallas
Hileman	Ridgeway
Hobbs	Rhodes
Howard	Roberts
Howington	Sallas
Hoyo	Senterfitt
Huddleston	Shell
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Jones	Smith of Atascosa
Kelly	Spacek
Knight	Stanford
Lansberry	Stinson
Lehman	Taylor
Little	Thornton
Lock	Voigt
Love	Walters
Lowry	Wattner
Lucas	White
McAlister	Whitesides
McDonald	Winfree
McGlasson	

Nays—1

King

Absent

Bruhl	Huffman
Celaya	Klingeman
Davis	Pevehouse
Dickson of Nolan	Roark
Donald	Sharpe
Eubank	Turner
Evans	Vale
Halsey	Weatherford

Absent—Excused

Boone	Ellis
Brawner	Heflin
Bray	Henderson
Craig	Isaacks
Crosthwait	Kennedy

Kersey	Manning
Kinard	Mills
Leyendecker	Nicholson
Lyle	Spangler
McCann	Stubbs

Mrs. Colson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 420, "An Act to regulate the sale and labeling of agricultural and vegetable seeds, in the State of Texas and defining the manner of labeling of same by seed dealers who may expose and/or offer such seed for sale, providing for the testing of such seeds for germination and other purposes; defining person, agricultural seeds, vegetable seeds, hybrid seed corn, weed seeds, noxious-weed seeds and secondary noxious-weed seeds and advertisement, setting up labeling requirements for seeds, the sale of which is regulated by this Act and defining the physical testing methods of testing such seeds, etc.; and declaring an emergency."

H. B. No. 272, "An Act fixing appropriations for educational institutions of higher learning, and declaring the policy thereof; prescribing certain rules and regulations to be followed in determining said appropriations; requiring audits, making appropriations for the support, maintenance, buildings, and improvements of the several State institutions of higher learning for the two fiscal years, beginning September 1, 1941, and ending August 31, 1943, both dates inclusive; and for certain other educational agencies of the State; prescribing certain restrictions concerning the expenditures of said appropriations; containing a saving clause; and declaring an emergency."

H. B. No. 570, "An Act appropriating for the fiscal year 1940-41 all moneys accruing to the Highway Light Test Fund in accordance with

existing law; and appropriating the sum of Four Hundred (\$400.00) Dollars from the State Highway Fund for the year 1940-41 to the credit of the Highway Light Test Fund to be used for the purposes described by and in accordance with existing law; and declaring an emergency."

ADJOURNMENT

On motion of Mr. Morris, the House at 4:50 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORT

The Committee on Game and Fisheries filed a favorable report on House Bill No. 1089.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 251, Authorizing certain corrections in House Bill No. 998.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 252, Authorizing the Enrolling Clerk to make certain changes in House Bill No. 272.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 255, Suspending Joint Rules so that the House may consider House Bill No. 161.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 256, Suspending Joint Rules so that the House may take up and consider House Bill No. 287 on Thursday, June 19, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 257, Authorizing the loan of certain discarded highway equipment to the City of Sonora.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 259, Instructing the Enrolling Clerk of the House to change the figures "154" to "271" in House Bill No. 1038 wherever same occurs.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 260, Providing for recess of the Forty-seventh Legislature from June 21, 1941, until July 14, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 262, That the Legislature recess during the period from June 21, 1941, until July 15, 1941, at 10:00 a. m.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 261, Instructing Enrolling Clerk to make corrections on House Bill No. 161.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 898, "An Act amending Article 122 of the Penal Code of the State of Texas, 1925; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 116, Granting N. D. Lenamond permission to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1046, "An Act to amend Section 1 of House Bill No. 808 of the Regular Session of the Forty-second Legislature, Chapter 69, Special Laws, page 157, as amended by House Bill No. 327 of the Regular Session of the Forty-third Legislature, Chapter 34, Special Laws, page 42, providing for the taking of catfish, perch, buffalo, and drum from the waters of Delta, Hopkins, and Franklin Counties, by hand or with a seine or net having meshes one inch square; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

June 18, 1941

House Bill No. 887.
House Bill No. 996.
House Bill No. 1034.
House Bill No. 1042.
House Bill No. 1045.
House Bill No. 1057.
House Bill No. 1076.
House Bill No. 1080.
House Bill No. 544.
House Bill No. 543.
House Bill No. 511.
House Bill No. 1064.
House Bill No. 931.
House Bill No. 918.
House Bill No. 963.
House Bill No. 1019.
House Bill No. 370.
House Bill No. 862.
House Bill No. 689.
House Bill No. 1050.
House Bill No. 663.
House Bill No. 1086.
House Bill No. 501.
House Bill No. 425.
House Bill No. 502.
House Bill No. 1053.

House Bill No. 1069.
House Bill No. 1054.
House Bill No. 417.
House Bill No. 891.
House Bill No. 788.
House Bill No. 995.
H. C. R. No. 133.
H. C. R. No. 224.
H. C. R. No. 130.
H. C. R. No. 117.
H. C. R. No. 249.
H. C. R. No. 96.
H. C. R. No. 222.

NINETY-FOURTH DAY

(Friday, June 20, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Ellis
Alsup	Evans
Avant	Favors
Bailey	Ferguson
Baker	Files
Bell	Fitzgerald
Benton	Fuchs
Blankenship	Gandy
Bridgers	Garland
Brown	Gilmer
Bullock	Goodman
Bundy	Hanna
Burkett	Hardeman
Burnaman	Hargis
Carlton	Harris of Dallas
Carrington	Harris of Hill
Cato	Hartzog
Celaya	Helpinstill
Chambers	Henderson
Clark	Hileman
Cleveland	Hobbs
Coker	Howard
Colson, Mrs.	Howington
Connelly	Hoyo
Crossley	Huddleston
Crosthwait	Hughes
Daniel	Humphrey
Davis	Hutchinson
Deen	Jones
Dickson of Bexar	Kelly
Donald	Kennedy
Dove	Kinard
Duckett	King
Dwyer	Klingeman